

CA NO. 04-99003

IN THE UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

* * *

TERRY JESS DENNIS, by and
through KARLA BUTKO, as Next
Friend,

Petitioner-Appellant,

vs.

MICHAEL BUDGE, Warden, and
BRIAN SANDOVAL, Attorney
General of the State of Nevada,

Respondents-Appellees.

D.C. No. CV-S-04-0798-PMP-RJJ
(Nevada, Las Vegas)

**Appeal from the United States District Court
for the District of Nevada**

APPELLANT'S EXCERPTS OF RECORD

Volume IV of XI

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Federal Public Defender
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Counsel for Petitioner-Appellant

CA NO. 04-99003

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FOR THE NINTH CIRCUIT

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through KARLA BUTKO, as Next
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vs.

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0-1338 WORK COPY

RENO CLINICAL LABORATORY REPORT

DENNIS, TERRY J

05/12/1999 13:11

SSN: 534-44-8825 SEX: M AGE: 52 LOC: MFR

>> CONTINUATION OF CHE 0218 119 <<

KEY: "L"=Abnormal low, "H"=Abnormal high, "*"=Critical value

Provider: STOLL, KATHLEEN A

Specimen: BLOOD

Accession [UID]: HE 0218 67 [1090490067]

02/18/1999 10:20

Test name	Result	units	Ref.	range
WBC	6.5	K/u1	4.8	10.8
RBC	5.27	M/u1	4.7	6.1
HGB	16.8	g/dl	14	18
HCT	50.5	%	42	52
MCV	95.8 H	f1	82	92
MCH	31.9	pg	28	32
MCHC	33.3	g/dl	32	36
RDW-CV	14.8 H	%	11.5	14.5
PLT	399	K/u1	130	400
MPV	10	f1	9	13
LYMPH %	18.2 L	%	23	38
NO %	5.8	%	1	6
T %	72.3 H	%	51	69
eUS %	2.6	%	1	3
BASO %	1.1 H	%	0	1
LYMPH #	1.1	K/u1	.7	4.7
MONO #	.3	K/u1	0	.8
NEUT #	4.7	K/u1	2	7.5
EOSIN #	.1	K/u1	0	.7
BASO #	0	K/u1	0	.1

KEY: "L"=Abnormal low, "H"=Abnormal high, "*"=Critical value

ER 0556

Copy - DO NOT FILE DENNIS, TERRY J 534-44-8825 05/12/1999

Men. Health Recs.
T. Dennis 302

7-1338 WORK COPY

RENO CLINICAL LABORATORY REPORT

ENNIS, TERRY J

05/12/1999 13:11

SSN: 534-44-8825 SEX: M AGE: 52 LOC: 4PSY

Provider: WHITMER, JAMES ROBERT

Specimen: SERUM

Accession [UID]: CHE 0114 178 [1190140178]

01/14/1999 16:00

Test name	Result	units	Ref. range
GLUCOSE	98	mg/dL	70 - 119
UREA NITROGEN	16	mg/dL	8 - 25
CREATININE, SERUM	1.0	mg/dL	.7 - 1.3
SODIUM	145	mmol/L	136 - 146
POTASSIUM	4.6	mmol/L	3.6 - 5.3
CHLORIDE	103	mmol/L	102 - 114
CO2	30	mmol/L	24 - 32
PO4	4.0	mg/dL	2.2 - 4.3
CALCIUM	10.1	mg/dL	8.8 - 10.3
PROTEIN, TOTAL	6.1	g/dL	5.9 - 7.9
ALBUMIN	3.7	gm/dL	3.5 - 4.7
ALKALINE PHOSPHATASE	63	Iu/L	37 - 108
AST (SGOT)	38 H	U/L	13 - 33
T. BILIRUBIN	0.5	mg/dL	.4 - 1.3
ALT (SGPT)	88 H	U/L	7 - 31
LIPIDIC ACID	33.5	ug/ml	50 - 100 (Ther. range)

KEY: "L"=Abnormal low, "H"=Abnormal high, "*"=Critical value

Provider: BHANVER, INDER

Specimen: SERUM

Accession [UID]: SPE 0108 510 [3790080510]

01/08/1999 06:00

Test name	Result	units	Ref. range
TSH	0.51	uIU/mL	.35 - 5
THYROXINE, FREE	1.04	ng/dL	.7 - 1.9

KEY: "L"=Abnormal low, "H"=Abnormal high, "*"=Critical value

Provider: BHANVER, INDER

Specimen: SERUM

Accession [UID]: SEROL 0108 2 [1790080002]

01/08/1999 06:00

Test name	Result	units	Ref. range
RPR	Nonreactive		

KEY: "L"=Abnormal low, "H"=Abnormal high, "*"=Critical value

ER 0557

2 PY - DO NOT FILE DENNIS, TERRY J 534-44-8825 05/12/1999

Men. Health Recs.
T. Dennis 303

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RENO CLINICAL LABORATORY REPORT

DENNIS, TERRY J

05/12/1999 13:11

SSN: 534-44-8825 SEX: M AGE: 52 LOC: 4PSY

Provider: BHANVER,INDER

Specimen: SERUM

cceSSION [UID]: CHE 0108 42 [1190080042]

01/08/1999 06:00

Test name	Result	units	Ref.	range
GLUCOSE	87	mg/dL	70	119
UREA NITROGEN	7 L	mg/dL	8	25
CREATININE, SERUM	0.9	mg/dL	.7	1.3
SODIUM	142	mmol/L	136	146
POTASSIUM	4.6	mmol/L	3.6	5.3
CHLORIDE	108	mmol/L	102	114
CO2	29	mmol/L	24	32
PO4	3.6	mg/dL	2.2	4.3
CALCIUM	9.4	mg/dL	8.8	10.3
PROTEIN, TOTAL	6.6	g/dL	5.9	7.9
ALBUMIN	4.0	gm/dL	3.5	4.7
ALKALINE PHOSPHATASE	68	Iu/L	37	108
AST (SGOT)	44 H	U/L	13	33
T.BILIRUBIN	1.5 H	mg/dL	.4	1.3
BILIRUBIN, DIRECT	0.2	mg/dL	0	.2
T (SGPT)	48 H	U/L	7	31
IMA-GTP	132 H	IU/L	5	44
CHOLESTEROL	186	mg/dL	140	200
TRIGL2	45	mg/dL	35	200
HDL	101 H	mg/dL	35	67
LDL 2	78			

Comment: DRAW TIME = 0705

KEY: "L"=Abnormal low, "H"=Abnormal high, "*"=Critical value

Copy - DO NOT FILE DENNIS, TERRY J 534-44-8825 05/12/1999

ER 0558

Men. Health Recs.
T. Dennis 304

7-1338 WORK COPY

RENO CLINICAL LABORATORY REPORT

ENNIS, TERRY J

05/12/1999 13:11

SSN: 534-44-8825 SEX: M AGE: 52 LOC: 4PSY

Provider: BHANVER, INDER

Specimen: BLOOD

Accession [UID]: HE 0108 26 [1090080026]

01/08/1999 06:00

Test name	Result	units	Ref.	range
WBC	7	K/uI	4.8	10.8
RBC	5.09	M/uI	4.7	6.1
HGB	15.9	g/dl	14	18
HCT	48.2	%	42	52
MCV	94.7 H	fI	82	92
MCH	31.2	pg	28	32
MCHC	33	g/dl	32	36
RDW-CV	14.6 H	%	11.5	14.5
PLT	430 H	K/uI	130	400
MPV	10	fI	9	13
LYMPH %	25.6	%	23	38
MONO %	8.1 H	%	1	6
NEUT %	60.5	%	51	69
EOS %	4.7 H	%	1	3
BASO %	1.1 H	%	0	1
LYMPH #	1.8	K/uI	.7	4.7
IO #	.5	K/uI	0	.8
NEUT #	4.2	K/uI	2	7.5
EOSIN #	.3	K/uI	0	.7
BASO #	0	K/uI	0	.1

KEY: "L"=Abnormal low, "H"=Abnormal high, "*"=Critical value

Provider: VAN BIBER, JOHN C

Specimen: URINE RANDOM

Accession [UID]: TOX 0107 2 [2090070002]

01/07/1999 19:15

Test name	Result	units	Ref.	range
BARBITURATE SCREEN	NEG			- Neg(<200 ng/mL)
AMP/MET	NEG			- Neg(<1.00 mcg/mL)
COC MET	NEG			- Neg(<.30 mcg/mL)
BENZODI	NEG			- Neg(<300 ng/mL)
CANNABINOIDS SCREEN	NEG			- Neg(<100 ng/mL)
METHADONE SCREEN	NEG			- Neg(<.30 mcg/mL)
OPIATES SCREEN	NEG			- Neg(<300 ng/mL)

KEY: "L"=Abnormal low, "H"=Abnormal high, "*"=Critical value

ER 0559

DO NOT FILE DENNIS, TERRY J 534-44-8825 05/12/1999

Men. Health Recs.
T. Dennis 305

00-1338 WORK COPY

RENO CLINICAL LABORATORY REPORT

ENNIS, TERRY J

05/12/1999 13:12

SSN: 534-44-8825 SEX: M AGE: 52 LOC: 4PSY

Provider: VAN BIBER, JOHN C

Specimen: URINE RANDOM

Accession [UID]: URINE 0107 46 [0790070046]

01/07/1999 19:15

Test name	Result	units	Ref.	range
PH, URINE	5		4.8	7.5
PROTEIN, URINE	Neg.		-	Neg
GLUCOSE, URINE	3+ H		-	Neg
KETONES, URINE	Neg.		-	Neg
BILIRUBIN, URINE	Neg.		-	Neg
BLOOD, URINE	Neg.		-	Neg
UROBILINOGEN	<=1	mg/dL		
SPECIFIC GRAVITY	1.030		1.003	1.03
COLOR, URINE	YELLOW		-	Yellow
APPEARANCE	CLEAR		-	Clear
RBC/HPF, URINE		/hpf	0	2
NITRITE, URINE	Neg		-	Neg
LEU ASE	Neg		-	Neg

Comment: MICROSCOPIC EXAM NOT INDICATED

KEY: "L"=Abnormal low, "H"=Abnormal high, "*"=Critical value

Provider: VAN BIBER, JOHN C

Specimen: SERUM

Accession [UID]: SPE 1003 506 [3782760506]

10/03/1998 06:00

Test name	Result	units	Ref.	range
LITHIUM	0.60	mmo/l	.5	1.5 (Ther. range)

Comment: DRAW TIME = 0605

KEY: "L"=Abnormal low, "H"=Abnormal high, "*"=Critical value

Provider: VAN BIBER, JOHN C

Specimen: SERUM

Accession [UID]: SEND 0929 6 [1882720006]

09/29/1998 11:00

Test name	Result	units	Ref.	range
HIV	NEG			

Comment: Reference Range: Negative

Test Performed at Lexington VA Special Reference Lab

KEY: "L"=Abnormal low, "H"=Abnormal high, "*"=Critical value

COPY - DO NOT FILE DENNIS, TERRY J 534-44-8825 05/12/1999

ER 0560

Men. Health Recs.
T. Dennis 306

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RENO CLINICAL LABORATORY REPORT

ENNIS, TERRY J

05/12/1999 13:12

SSN: 534-44-8825 SEX: M AGE: 52 LOC: 4PSY

Provider: VAN BIBER, JOHN C

Specimen: SERUM

Accession [UID]: SPE 0929 505 [3782720505]

Test name	Result	units	Ref. range
TSH	1.44	uIU/mL	.35 - 5
THYROXINE, FREE	1.34	ng/dL	.7 - 1.9

KEY: "L"=Abnormal low, "H"=Abnormal high, "*"=Critical value

Provider: VAN BIBER, JOHN C

Specimen: SERUM

Accession [UID]: SEND 0929 5 [1882720005]

Test name	Result	units	Ref. range
HEPATITIS C ANTIBODY	POS		
HBsAG	NEG		
HAVIgM	NEG		
HBcIgM	NEG		

Reference Range: Negative

TEST PERFORMED AT REFERENCE LAB SFVA

KEY: "L"=Abnormal low, "H"=Abnormal high, "*"=Critical value

Provider: VAN BIBER, JOHN C

Specimen: SERUM

Accession [UID]: CHE 0929 56 [1182720056]

Test name	Result	units	Ref. range
CHOLESTEROL	172	mg/dL	140 - 200
TRIGL2	102	mg/dL	35 - 200
HDL	67	mg/dL	35 - 67
LDL 2	88		

KEY: "L"=Abnormal low, "H"=Abnormal high, "*"=Critical value

ER 0561

COPY - DO NOT FILE DENNIS, TERRY J 534-44-8825 05/12/1999

Men. Health Recs.
T. Dennis 307

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RENO CLINICAL LABORATORY REPORT

ENNIS, TERRY J

05/12/1999 13:12

SSN: 534-44-8825 SEX: M AGE: 52 LOC: 4PSY

Provider: BIGGS, JERRY A

Specimen: URINE RANDOM

Accession [UID]: TOX 0928 3 [2082710003]

09/28/1998 16:00

Test name	Result	units	Ref.	range
BARBITURATE SCREEN	NEG			- Neg(<200 ng/mL)
AMP/MET	NEG			- Neg(<1.00 mcg/mL)
COC MET	NEG			- Neg(<.30 mcg/mL)
BENZODI	NEG			- Neg(<300 ng/mL)
CANNABINOIDS SCREEN	NEG			- Neg(<100 ng/mL)
METHADONE SCREEN	NEG			- Neg(<.30 mcg/mL)
OPIATES SCREEN	NEG			- Neg(<300 ng/mL)

KEY: "L"=Abnormal low, "H"=Abnormal high, "*"=Critical value

Provider: BIGGS, JERRY A

Specimen: URINE RANDOM

Accession [UID]: URINE 0928 80 [0782710080]

09/28/1998 16:00

Test name	Result	units	Ref.	range
URINE	5		4.8	7.5
PROTEIN, URINE	Neg.			- Neg
GLUCOSE, URINE	Neg.			- Neg
KETONES, URINE	Neg.			- Neg
BILIRUBIN, URINE	Neg.			- Neg
BLOOD, URINE	Neg.			- Neg
UROBILINOGEN	<=1	mg/dL		
SPECIFIC GRAVITY	1.025		1.003	1.03
COLOR, URINE	YELLOW			- Yellow
APPEARANCE	CLEAR			- Clear
NITRITE, URINE	Neg			- Neg
LEU ASE	Neg			- Neg

Comment: MICROSCOPIC EXAM NOT INDICATED

KEY: "L"=Abnormal low, "H"=Abnormal high, "*"=Critical value

ER 0562

COPY - DO NOT FILE DENNIS, TERRY J 534-44-8825 05/12/1999

Men. Health Recs.
T. Dennis 308

00-1338 WORK COPY

RENO CLINICAL LABORATORY REPORT

ENNIS, TERRY J

05/12/1999 13:12

SSN: 534-44-8825 SEX: M AGE: 52 LOC: TRP

Provider: STEINAGEL, GERALDINE M

Specimen: SERUM

Accession [UID]: CHE 0925 176 [1182680176]

Test name	Result	units	Ref. range
GLUCOSE	89	mg/dL	70 - 119
UREA NITROGEN	7 L	mg/dL	8 - 25
CREATININE, SERUM	1.0	mg/dL	.7 - 1.3
SODIUM	139	mmol/L	136 - 146
POTASSIUM	5.3	mmol/L	3.6 - 5.3
CHLORIDE	102	mmol/L	102 - 114
CO2	26	mmol/L	24 - 32
PO4	3.1	mg/dL	2.2 - 4.3
CALCIUM	10.3	mg/dL	8.8 - 10.3
PROTEIN, TOTAL	7.6	g/dL	5.9 - 7.9
ALBUMIN	4.5	gm/dL	3.5 - 4.7
ALKALINE PHOSPHATASE	84	Iu/L	37 - 108
AST (SGOT)	98 H	U/L	13 - 33
T.BILIRUBIN	0.6	mg/dL	.4 - 1.3
ALT (SGPT)	135 H	U/L	7 - 31
CHOLESTEROL	213 H	mg/dL	140 - 200
GL2	81	mg/dL	35 - 200

KEY: "L"=Abnormal low, "H"=Abnormal high, "*"=Critical value

ER 0563

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Men. Health Recs.
T. Dennis 309

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RENO CLINICAL LABORATORY REPORT

DENNIS, TERRY J

SSN: 534-44-8825 SEX: M AGE: 52 LOC: TRP

05/12/1999 13:12

Provider: STEINAGEL, GERALDINE M

Specimen: BLOOD

Accession [UID]: HE 0925 99 [1082680099]

09/25/1998 15:56

Test name	Result	units	Ref.	range
WBC	12.3 H	K/u1	4.8	10.8
RBC	5.07	M/u1	4.7	6.1
HGB	16.2	g/dl	14	18
HCT	47.4	%	42	52
MCV	93.5 H	f1	82	92
MCH	32	pg	28	32
MCHC	34.2	g/dl	32	36
RDW-CV	14.1	%	11.5	14.5
PLT	440 H	K/u1	130	400
MPV	9.5	f1	9	13
SEGS	74 H	%	51	69
BANDS	1	%	1	7
LYMPHS	18 L	%	23	38
MONOS	6	%	1	6
BASO	1	%	0	1

***: AUTO DIFF NOT ACCEPTED SEE MANUAL DIFF
RBC MORPHOLOGY CONSISTENT WITH INDICES
PLATELETS INCREASED

KEY: "L"=Abnormal low, "H"=Abnormal high, "*"=Critical value

Provider: CHITWOOD, BRYAN C

Specimen: SERUM

Accession [UID]: SPE 0627 37 []

06/27/1997 17:00

Test name	Result	units	Ref.	range
TSH	1.33	uIU/mL	.35	5
THYROXINE, FREE	0.95	ng/dL	.7	1.9

KEY: "L"=Abnormal low, "H"=Abnormal high, "*"=Critical value

ER 0564

RK COPY - DO NOT FILE DENNIS, TERRY J 534-44-8825 05/12/1999

Men. Health Recs.
T. Dennis 310

-1338 WORK COPY

RENO CLINICAL LABORATORY REPORT

NNIS, TERRY J

05/12/1999 13:12

SSN: 534-44-8825 SEX: M AGE: 52 LOC: TRP

Provider: CHITWOOD, BRYAN C

Specimen: SERUM

Cession [UID]: CHE 0627 162 []

06/27/1997 17:00

Test name	Result	units	Ref.	range
GLUCOSE	92	mg/dL	70	119
UREA NITROGEN	12	mg/dL	8	25
CREATININE, SERUM	0.9	mg/dL	.7	1.3
SODIUM	138	mmol/L	136	146
POTASSIUM	4.8	mmol/L	3.6	5.3
CHLORIDE	104	mmol/L	102	114
CO2	28	mmol/L	24	32
PO4	4.1	mg/dL	2.2	4.3
CALCIUM	9.9	mg/dL	8.8	10.3
PROTEIN, TOTAL	6.7	g/dL	5.9	7.9
ALBUMIN	3.8	gm/dL	3.5	4.7
ALKALINE PHOSPHATASE	75	Iu/L	37	108
AST (SGOT)	53 H	U/L	13	33
T. BILIRUBIN	0.9	mg/dL	.4	1.3
ALT (SGPT)	51 H	U/L	7	31
CHOLESTEROL	210 H	mg/dL	140	200
GLYC	100	mg/dL	22	210

Comment: Stat tests verified at 1805

KEY: "L"=Abnormal low, "H"=Abnormal high, "**"=Critical value

ER 0565

2' COPY - DO NOT FILE DENNIS, TERRY J 534-44-8825 05/12/1999

Men. Health Recs.
T. Dennis 311

1338 WORK COPY

RENO CLINICAL LABORATORY REPORT

ANNIS, TERRY J

05/12/1999 13:12

SSN: 534-44-8825 SEX: M AGE: 52 LOC: TRP

Provider: CHITWOOD, BRYAN C

Specimen: BLOOD

Cession [UID]: HE 0627 74 []

06/27/1997 17:00

Test name	Result	units	Ref.	range
WBC	11.4 H	K/u1	4.8	10.8
RBC	5.15	M/u1	4.7	6.1
HGB	16.4	g/dl	14	18
HCT	48.6	%	42	52
MCV	94.4 H	f1	82	92
MCH	31.8	pg	28	32
MCHC	33.7	g/dl	32	36
RDW-CV	13.6	%	11.5	14.5
PLT	423 H	K/u1	130	400
MPV	9.7	f1	9	13
SEGS	80 H	%	51	69
LYMPHS	12 L	%	23	38
MONOS	5	%	1	6
EOSIN	3	%		

Comment: AUTO DIFF NOT ACCEPTED SEE MANUAL DIFF

Stat tests verified at 1810

KEY: "L"=Abnormal low, "H"=Abnormal high, "*"=Critical value

ER 0566

Y / Y - DO NOT FILE DENNIS, TERRY J 534-44-8825 05/12/1999

Men. Health Recs.
T. Dennis 312

ame:DENNIS,TERRY J Case:6978
SN:534-44-8825 Phy:DIEDRICHSEN,MADELYN
ate:NOV 16,1998 12:11 Age:52
F ED:NOV 16,1998 Sex:MALE
anscribed:NOV 18,1998 13:47 Ward/Clinic:BLUE - URGENT CARE CLINIC
Procedure:CHEST 2 VIEWS PA&LAT Technician:RASSO,WILLIAM S

Case 6978 COMPLETE) CHEST 2 VIEWS PA&LAT (71020)
Exam Modifiers : None

Clinical History:
WET READ R/O PNEMONIA

Report: Status: VERIFIED
Impression:

1. THERE IS NO EVIDENCE OF ACUTE DISEASE OR SIGNIFICANT CHANGE SINCE 9/30/98.
2. THERE IS HYPERAERATION OF THE LUNG FIELDS COMPATIBLE WITH COPD.

Primary Diagnostic Code:

Primary Interpreting Staff:
LENORE A AMANTE, MD, RADIOLOGIST
Verified by transcriptionist for LENORE A AMANTE, MD, M.D.

ECB

VA Medical Center - Reno, NV

ER 0567

9034 VICE SF 519B RADIOLOGY/NUCLEAR MEDICINE REPORT

Men. Health Recs.
T. Dennis 313

ame:DENNIS,TERRY J Case:7360
SN:534-44-8825 Phy:BIGGS,JERRY A
ate:SEP 30,1998 09:00 Age:52
D:SEP 30,1998 Sex:MALE
anscribed:SEP 30,1998 18:09 Ward/Clinic:4 PSY
Procedure:CHEST 2 VIEWS PA&LAT Technician:MILLER,CHRISTA N

Case 7360 COMPLETE) CHEST 2 VIEWS PA&LAT (71020)
Exam Modifiers : None

Clinical History:
R/O PATHOLOGY

Report:
CHEST, PA AND LATERAL:

Impression:

1. THERE IS NO EVIDENCE OF ACUTE DISEASE OR SIGNIFICANT CHANGE SINCE 06/27/97.
2. THERE IS HYPERAERATION OF THE LUNG FIELDS COMPATIBLE WITH COPD.
3. THE ILL-DEFINED DENSITY IN THE LEFT LOWER LUNG FIELD SEEN ON THE PREVIOUS EXAMINATION IS NO LONGER PRESENT.

Primary Diagnostic Code:

Primary Interpreting Staff:

A AMANTE, MD, RADIOLOGIST
Verified by transcriptionist for LENORE A AMANTE, MD, M.D.

JH

VA Medical Center - Reno, NV

ER 0568

9034 VICE SF 5198 RADIOLOGY/NUCLEAR MEDICINE REPORT

Men. Health Recs.
T. Dennis 314

ame:DENNIS,TERRY J

SN:534-44-8825

ate:JUN 27,1997 16:41

EP: TO:JUN 30,1997

anscribed:JUN 30,1997 14:07

ure:CHEST SINGLE VIEW

Case:7816

Phy:CHITWOOD,BRYAN C

Age:52

Sex:MALE

Ward/Clinic:TRIAGE PHYSICIANS

Technician:LAPOINTE,ROBERT R

Case 7816 COMPLETE) CHEST SINGLE VIEW

(71010)

Exam Modifiers : PORTABLE EXAM

Clinical History:
CHEST PAIN

Report:
PORTABLE CHEST:

Impression:

1. HEART SIZE WITHIN NORMAL LIMITS.
2. SUBTLE COARSENING OF SOME LEFT BASAL MARKINGS BUT NEITHER ACUTE CONSOLIDATION NOR LAYERING EFFUSION AT PRESENT.
3. MILD SCOLIOSIS. NOTABLE DISTAL THORACIC VERTEBRAL SPURRING.

Primary Diagnostic Code:

Primary Interpreting Staff:

JAMES N HECKER, STAFF RADIOLOGIST

Verified by transcriptionist for JAMES N HECKER, M.D.

VA Medical Center - Reno, NV

ER 0569

9034 VICE SF 5198 RADIOLOGY/NUCLEAR MEDICINE REPORT

Men. Health Recs.
T. Dennis 315

V.A. MEDICAL CENTER
1000 LOCUST ST.
RENO NEVADA 89520
Pulmonary Function Report

PATIENT: DENNIS TERRY J

ID#: 534448825

Age: 52 Years

Room: Out/P Date: 23-FEB-99

Sex/Race: Male / Caucasian

Temp/Pres: 20 C / 656 mmHg

Height: 71 in 180 cm

Physician: KUCERA

Weight: 161 lbs 73 kg

Tested by: DE MEINERT

Diagnosis:

Prev Study:

Asthma:

Medication:

Cough:

Smoker: Yes How Long: 42 YRS

Stopped:

Cigarettes: Y

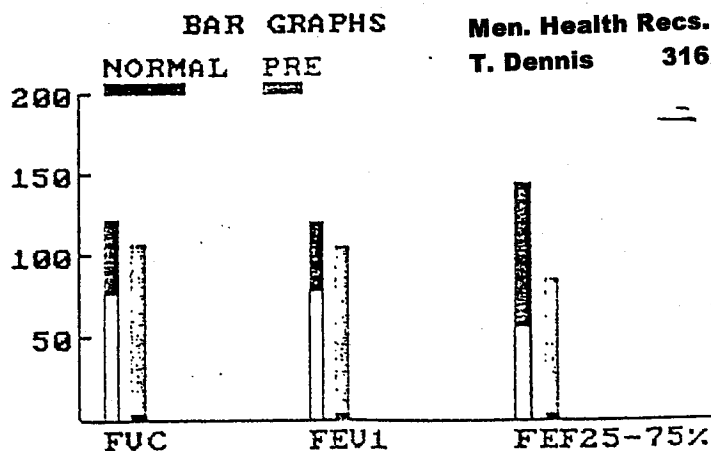
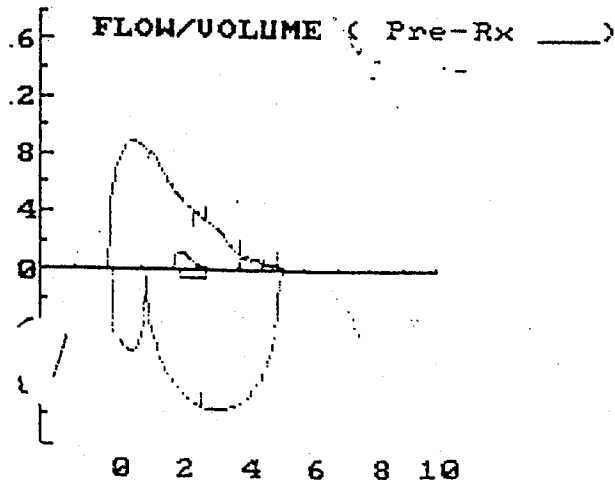
Cigars:

Pipe:

SPIROMETRY (BTPS)		PRED	PRE-RX BEST	%PRED	POST-RX BEST	%PRED	%CHG
VC	Liters	5.06	5.42	107			
IV1	Liters	4.01	4.26	106			
IV1/FVC	%	79	79				
FEF25-75%	L/Sec	3.84	3.29	86			
FEF50%	L/Sec		4.01				
FEF	L/Sec		8.80				
MT100%	Sec		3.8				
VC	Liters	5.06	5.30	105			
%	L/Sec		9.35				
	L/Sec		10.08				
FEF50/FIF50	Unitless		0.43				
al Extrap	Liters		0.13				
Code			10011				

LUNG VOLUMES (BTPS)		PRED	PRE-RX AVG	%PRED	POST-RX AVG	%PRED	%CHG
TV	Liters	5.06	5.42	107			
	Liters		1.31				
	Liters		3.07				

S-0L10-08 IPS-0H10-09 N-2103-4



V.A. MEDICAL CENTER
1000 LOCUST ST.
RENO NEVADA 89520
Pulmonary Function Report

...DENNIS TERRY J

ID#:534448825

e: 52 Years
x/Race: Male / Caucasian
ight: 71 in 180 cm
ight: 161 lbs 73 kg

Room:Out/P Date:23-FEB-99
Temp/Pres: 20 C / 656 mmHg
Physician:KUCERA
Tested by:DE MEINERT
Prev Study:
Medication:

agnosis:
spnea:
ugh:

oker: Yes How Long:42YRS
garettes: Y

Stopped:
Cigars:

Pipe:

PRED TRL1 TRL2 TRL3 BEST %PRED %CHG

SPIROMETRY (BTPS) PRE-RX

C	Liters	5.06	5.06	5.42	5.07	5.42	107
V1	Liters	4.01	4.03	4.09	4.26	4.26	106
V1/FVC	%	79	80	75	84	79	
V3	Liters	4.73	4.88	5.21		5.21	110
F25-75%	L/Sec	3.84	3.63	3.29	4.53	3.29	86
F50%	L/Sec		3.89	4.01	5.23	4.01	
F	L/Sec		8.75	8.80	8.39	8.80	
T100%	Sec		3.5	3.8	3.0	3.8	
"	Liters	5.06	5.28	5.30	5.18	5.30	105
s	L/Sec		9.56	9.35	10.07	9.35	
F	L/Sec		9.97	9.60	10.08	10.08	
F50/FIF50	Unitless		0.41	0.43	0.52	0.43	
l Extrap	Liters		0.15	0.13	0.18	0.13	
Code			011	011	011	10011	

PRED TRL1 TRL2 TRL3 AVG %PRED %CHG

LUNG VOLUMES (BTPS) PRE-RX

V	Liters	5.06	4.40	4.35.		5.42	107
	Liters		1.25	1.37		1.31	
----	Liters		3.15	2.98		3.07	

ER 0571

GE 2

Pulmonary Function Report

Mr. DENNIS TERRY J

ID#:534448825

LIBRATION: PRED: 3.33

ACTUAL: EXP 3.33 INSP 3.32

S-0L10-08 IPS-OH10-09 N-2103-4

ER 0572

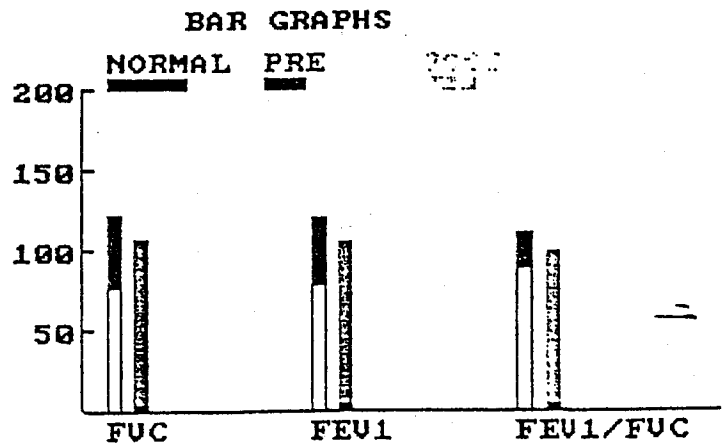
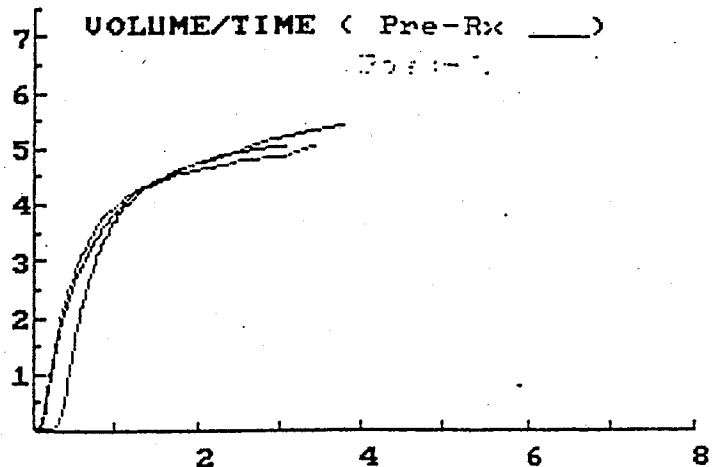
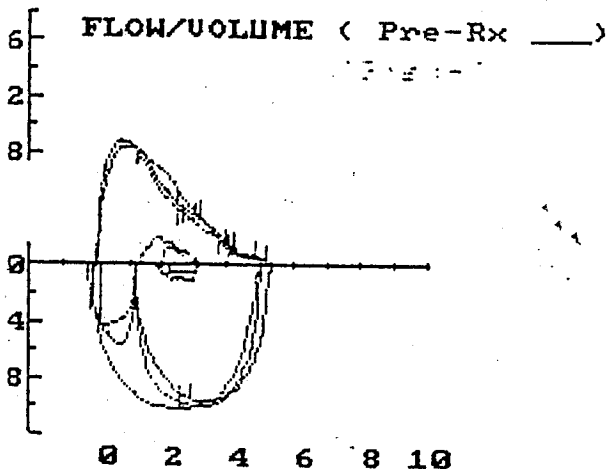
V.A. MEDICAL CENTER
1000 LOCUST ST.
RENO NEVADA 89520
Pulmonary Function Report

name: DENNIS TERRY J
age: 52 Years
sex/Race: Male / Caucasian
height: 71 in 180 cm
weight: 161 lbs 73 kg

ID#: 534448825
Room: Out/P Date: 23-FEB-99
Temp/Pres: 20 C / 656 mmHg
Physician: KUCERA
Tested by: DE MEINERT

Diagnosis:
Asthma:
COPD:
Smoker: Yes How Long: 42YRS
Cigarettes: Y

Prev Study:
Medication:
Stopped:
Cigars: Pipe:



V.A. MEDICAL CENTER
1000 LOCUST ST.
RENO NEVADA 89520
Pulmonary Function Report

Mr. DENNIS TERRY J

ID#:534448825

Age: 52 Years

Room:Out/P Date:23-FEB-99

Sex/Race: Male / Caucasian

Temp/Pres: 20 C / 656 mmHg

Height: 71 in 180 cm

Physician:KUCERA

Weight: 161 lbs 73 kg

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Prev Study:

Medication:

Diagnosis:

Asthma:

Cough:

Smoker: Yes How Long:42YRS

Stopped:

Cigarettes: Y

Cigars:

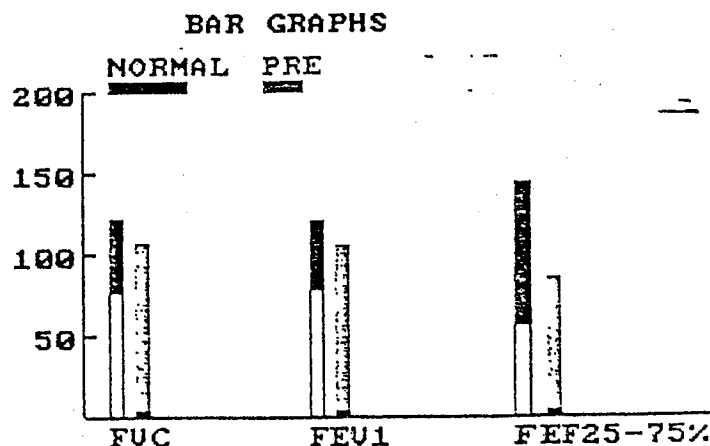
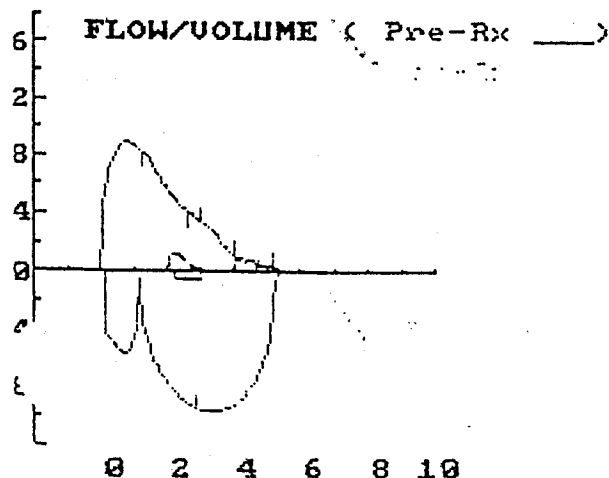
Pipe:

SPIROMETRY (BTPS)		PRED	PRE-RX BEST	%PRED	POST-RX BEST	%PRED	%CHG
C	Liters	5.06	5.42	107			
V1	Liters	4.01	4.26	106			
V1/FVC	%	79	79				
F25-75%	L/Sec	3.84	3.29	86			
F50%	L/Sec		4.01				
F	L/Sec		8.80				
T100%	Sec		3.8				
VC	Liters	5.06	5.30	105			
F %	L/Sec		9.35				
	L/Sec		10.08				
F50/FIF50	Unitless		0.43				
1 Extrap	Liters		0.13				
Code			10011				

LUNG VOLUMES (BTPS)		PRED	PRE-RX AVG	%PRED	POST-RX AVG	%PRED	%CHG
V	Liters	5.06	5.42	107			
	Liters		1.31				
	Liters		3.07				

S-0L10-08 IPS-OH10-09 N-2103-4

Men. Health Recs.
T. Dennis 320



52 Yr Male Caucasian
 72 in 150 lb
 Loc: 4

Vent. rate 73 BPM
 PR interval 134 ms
 QRS duration 86 ms
 QT/QTc 366/403 ms
 P-R-T axes 53 88 10

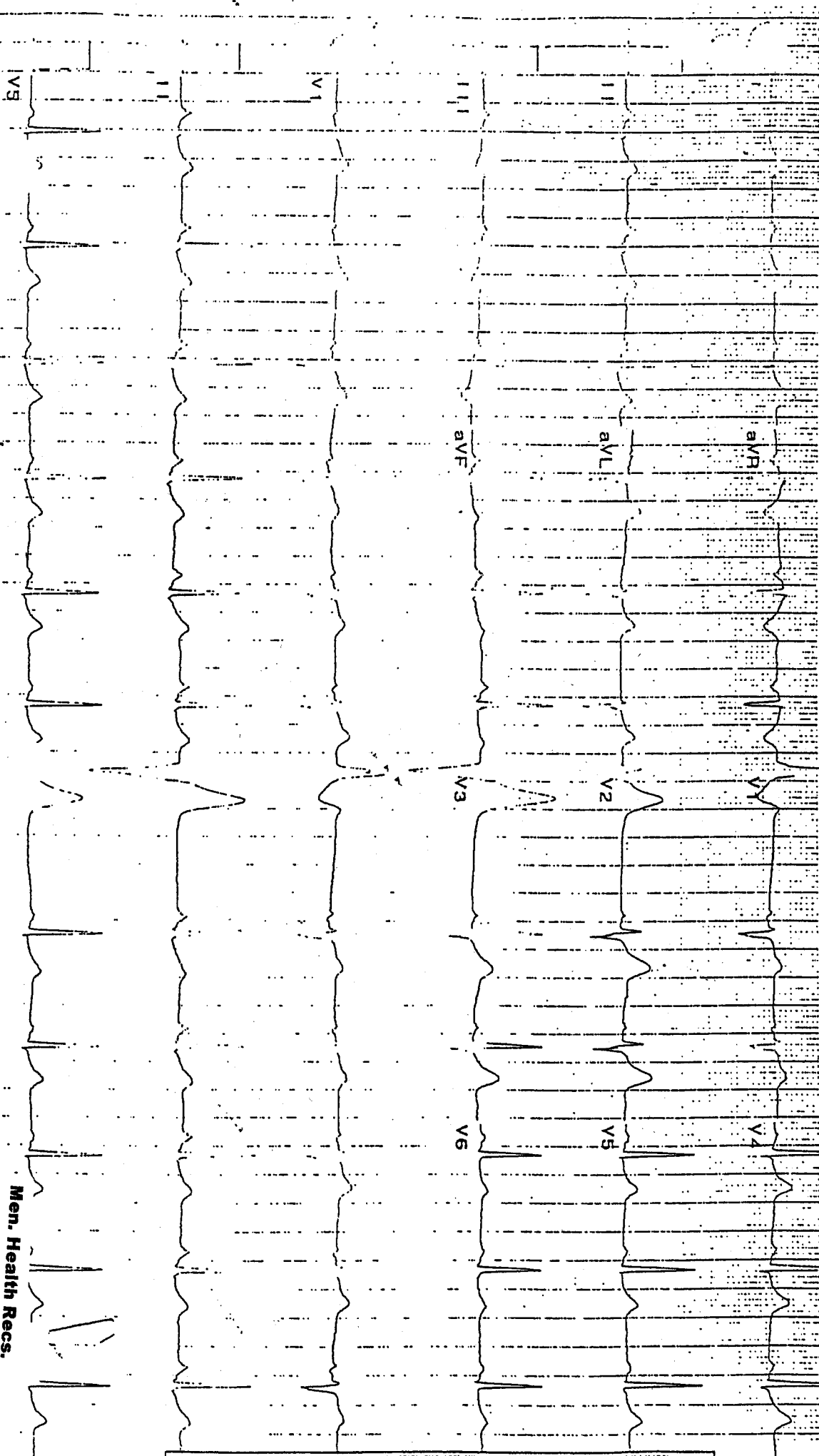
NORMAL SINUS RHYTHM WITH OCCASIONAL PREMATURE VENTRICULAR COMPLEXES
 OTHERWISE NORMAL ECG
 WHEN COMPARED WITH ECG OF 27-JUN-1997 16:24.
 SINUS RHYTHM HAS REPLACED ATRIAL FIBRILLATION
 VENT. RATE HAS DECREASED BY 38 BPM
 NON-SPECIFIC CHANGE IN ST SEGMENT IN INFERIOR LEADS

5750 JR

Technician: JP

Referred by: BIGGS

Confirmed by: ROBERT BRYG M



Male Caucasian
72 in 150 lb
Room: 415D
Loc: 4

vent. rate 74 bpm
PR interval 142 ms
QRS duration 86 ms
QT/QTc 364/404 ms
P-R-T axes 65 86 55

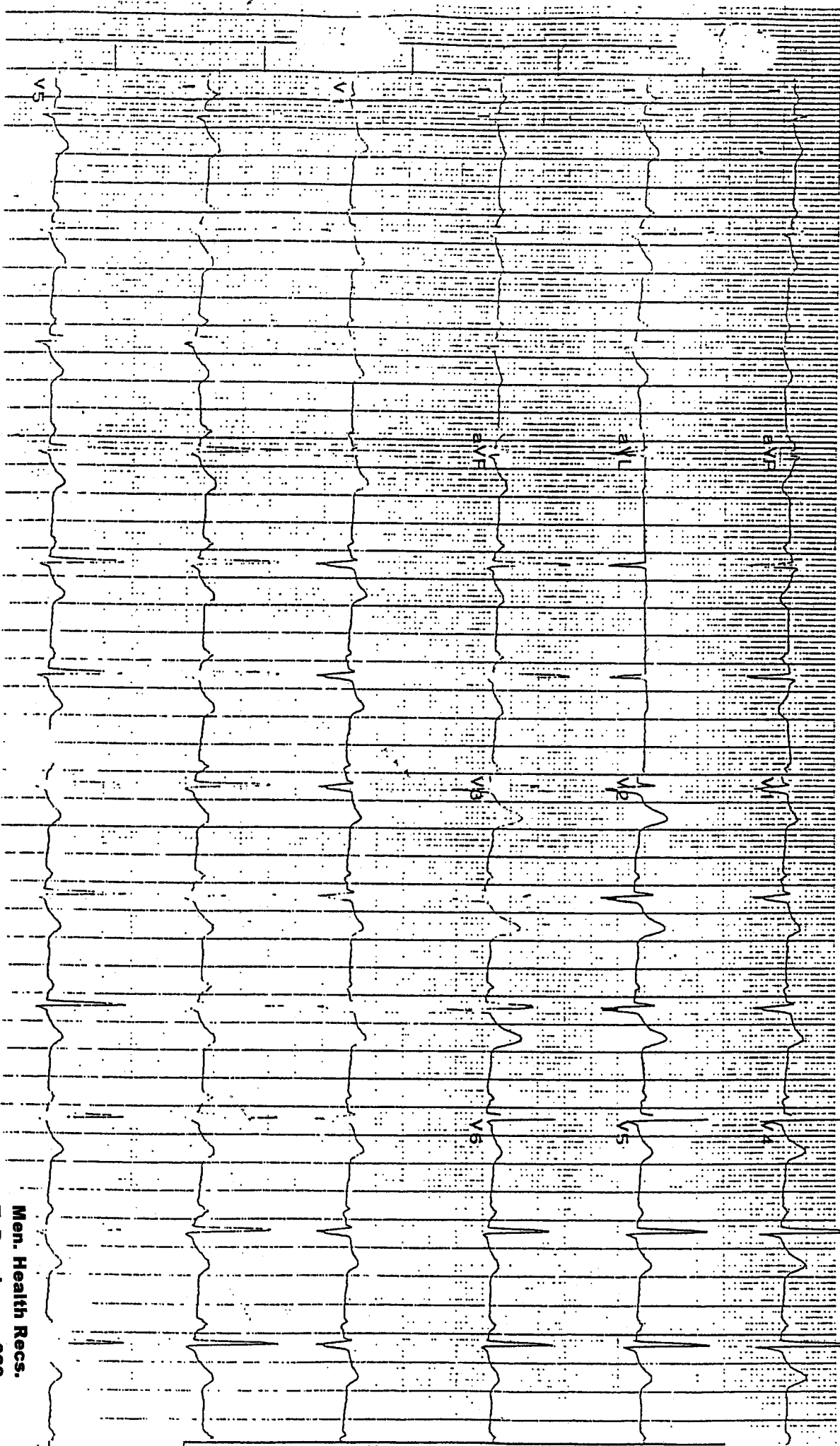
NORMAL SINUS RHYTHM
NORMAL ECG
WHEN COMPARED WITH ECG OF 01-OCT-1998 12:32
PREMATURE VENTRICULAR COMPLEXES ARE NO LONGER PRESENT

ER 0576

Technician: JP

Referred by: BHANVER

Confirmed by: WILLIAM GRAETTINGE



CLINICAL RECORD						ELECTROCARDIOGRAPHIC RECORD		PREVIOUS ECG <input type="checkbox"/> YES <input type="checkbox"/> NO	
CLINICAL IMPRESSION						MEDICATION		<input type="checkbox"/> EMERGENCY <input type="checkbox"/> BEDSIDE <input type="checkbox"/> ROUTINE <input type="checkbox"/> AMBULANT	
AGE	SEX	RACE	HEIGHT	WEIGHT	B. P.	SIGNATURE OF WARD PHYSICIAN		DATE	
50	M		6'0"	150	94/53	Dr. D. L. Harrison		6-27-97	
RHYTHM						AXIS DEVIATION (QRS)		RATES AURIC. VENT.	
INTERVALS PR QRS QT						P WAVES			
QRS COMPLEXES									
RS-T SEGMENT						T WAVES			
UNIPOLAR EXTREMITY LEADS (Speed/y)									
PRECARDIAL LEADS (Speed/y)									
SUMMARY, SERIAL CHANGES, AND IMPLICATIONS:									
<div style="text-align: right; margin-right: 50px;">ER 0577</div>									
(Continue on reverse)									
NO. ECG 414159		SIGNATURE OF PHYSICIAN				PATIENT'S IDENTIFICATION NO.		DATE 6-27-97	
PATIENT'S IDENTIFICATION (For typed or written entries give: Name—last, first, middle; grade; date; hospital or medical facility)						REGISTER NO.		WARD NO. 542	

CENVIS TERRY J 29
 U.S. Government Printing Office: 1991 — 281-782/20328 031
 71 VIVE ST B
 NV 89503

574 44 2425 3H 101446 654

Men. Health Recs.
T. Dennis 323

ELECTROCARDIOGRAPHIC RECORD
 (Attach Tracings to SF-507)
STANDARD FORM 520
 Prescribed by GSA/ICMR
 FPMR(41 CFR) 201-45.505
 520-107
 OCTOBER 1975

42mm/s
10mm/mV
100Hz
Pgm 008B
125Ltm v78

med: UNKNOWN
50yr 72in 150lb
Sex: M Race: Cauc
Loc: 3 Room: 115 A

Vent. rate 111 BPM
PR interval * ms
QRS duration 84 ms
QT/QTc 312/421 ms
P-R-T axes * 83 73

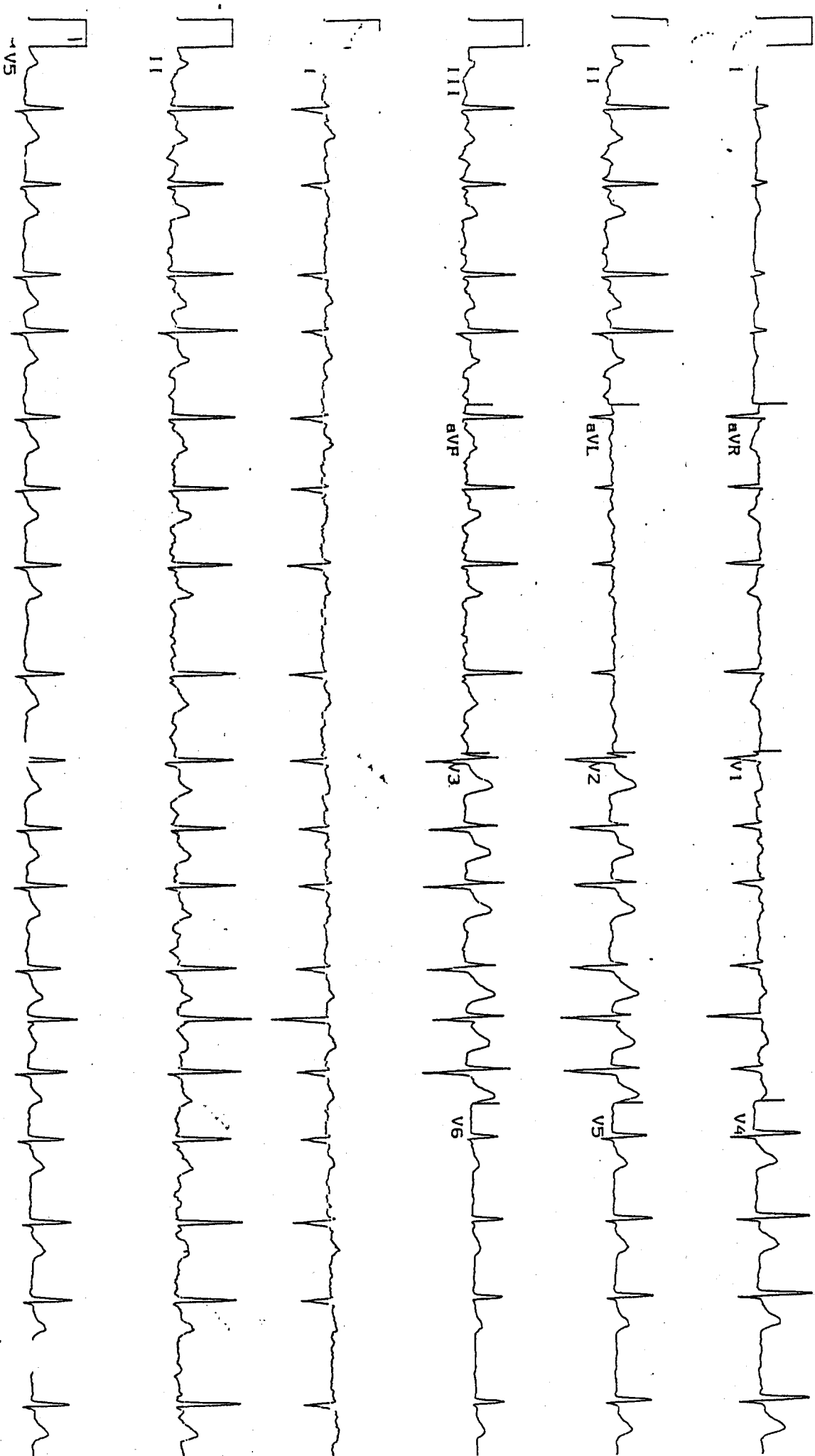
Referred by: JOHNSON DEREK

ST7 Unconfirmed

ER 0578

Men. Health Recs.
T. Dennis 324

See ECG in RVR



1 Umm/mV
100Hz
Pgm 008B
12SLtm v78

50yr 72in 150lb
Sex: M Race: Cauc
Loc: 3 Room: 115 A

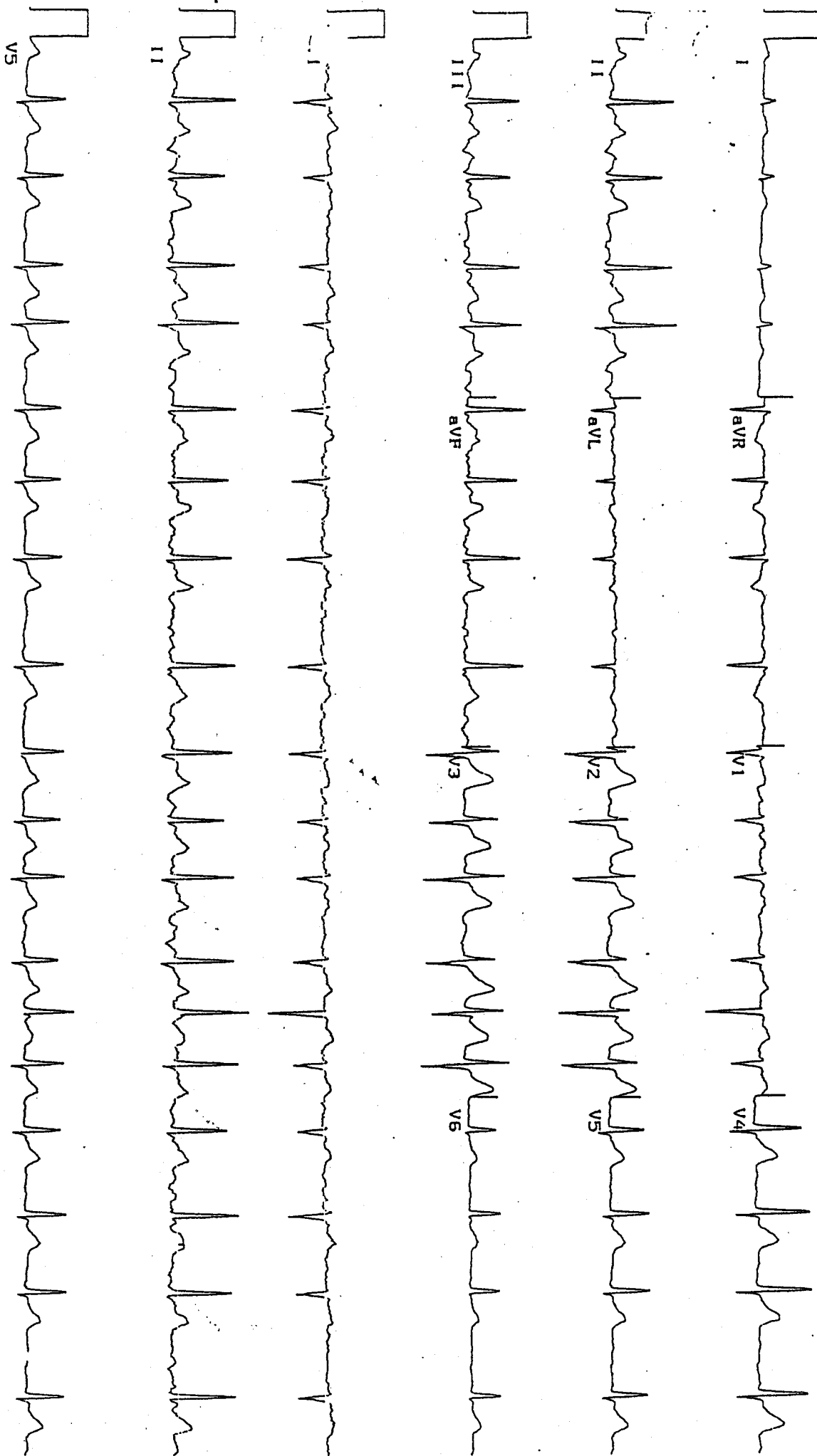
Vent. rate 111 BPH
PR Interval * ms
QRS duration 84 ms
QT/QTc 312/421 ms
Cart: 1 P-R-T axes * 83 73

Referred by: JOHNSON DEREK

Unconfirmed

ER 0579

Men. Health Recs.
T. Dennis 325



PATIENT NAME | AGE | SEX | RACE | SSN | CLAIM NUM
DENNIS, TERRY J | 52 | M | UNKN | 534-44-8825 | 28379618

DM DATE | DISC DATE | TYPE OF RELEASE | INP | ABS | WARD NO
~~1-07-1999~~ | ~~1-15-1999~~ | NON-SERV (OPT-NSC) | 8 | 0 | 4 PSY

1. Prozac, 40 mg p.o. q.a.m.
2. Lithium, 300 mg p.o. t.i.d.
3. Depakote, b.i.d.
4. Trazodone, for sleep

PAST MEDICAL HISTORY: "I have had tumors removed from my wrist".
"Problem with cyst on my back".

OTHER PSYCHIATRIC HISTORY: ~~"Lots of problems since 1966"~~ including
suicidal ideation, acting on it, tried carbon monoxide poisoning,
drug overdose several times. I have had altercations with police".

PSYCHOSOCIAL HISTORY: Negative family support, no friends, one
roommate, income \$691.00 a month. Housing - shares one bedroom
apartment with roommate.

PHYSICAL FINDINGS: HEENT: Pupils equal, round, and reactive to
light and accommodation. Extraocular muscles intact.
Cardiovascular: S1, S2, regular rate and rhythm. Lungs: Clear.
Abdomen: Benign. Extremities: Reflexes normal. Neurologic:
Cranial nerves intact, no focal deficits.

LABS: Liver function tests normal. RPR non reactive. Chemistry
panel normal except for AST elevated at 44, total bilirubin
elevated at 1.5, ALT elevated at 48, GGTP elevated at 132,
cholesterol 186, HDL 101, MCV 94.7, monos 8.1%, eosinophils 4.7%.
Urine tox screen was negative, but did have 3+ glucose in urine.

MENTAL STATUS EXAM: 52-year-old white male, disheveled, bearded,
avoids eye contact. ~~Mood "funky"~~, dysphoric, isolative. Affect
tangential. The patient was alert and oriented x 4. The patient
reports ~~suicidal ideation and homicidal ideation~~. Thought process
and thought content were clear and goal directed. The patient
reports no auditory or visual hallucinations. ~~Insight and judgment~~
~~impaired~~. Concentration fair. Serial sevens okay from 100 to 65.

HOSPITAL COURSE: The patient is a 52-year-old white male who
presented to triage with ~~complaint of losing~~ and started
drinking. The patient also reports that he had been off his
medications for about one week. The patient underwent alcohol
detoxification on ward 4B without any complications. The patient
was restarted on valproic acid, 500 mg p.o. b.i.d., Prozac, 40 mg
p.o. q.a.m., and Trazodone, 50 mg p.o. q. hs. The patient
tolerated the reinstatement of medications with no side effects.
The patient states that he ~~now feels in control~~. The patient's BDI
discharge 24 with 1 on question No. 9. He is not actively
suicidal and denies any intent to harm anyone else. Mr. Dennis is
going to be discharged on valproic acid, Prozac, and trazodone.

RENO, NEVADA (654)

01/99 08:35

Page:

PATIENT NAME : AGE : SEX : RACE : SSN : CLAIM NUM:
DENNIS, TERRY J : 52 : M : UNKN : 534-44-8825 : 28379618

DM DATE : DISC DATE : TYPE OF RELEASE : INP : ABS : WARD NO
07, 1999 : JAN 15, 1999 : NON-SERV (OPT-NSC) : 8 : 0 : 4 PSY

DICTIONATION DATE: FEB 19, 1999

TRANSCRIPTION DATE: FEB 23, 1999

TRANSCRIPTIONIST: ip

PATIENT NAME: DENNIS, TERRY J.

DATE OF DISCHARGE: 01/15/99

PRINCIPLE DIAGNOSIS

AXIS I Alcohol dependence
~~Rule out bipolar disorder~~

AXIS II ~~Rule out antisocial personality disorder~~

AXIS III No active problems

AXIS IV Financial problems, family support

AXIS V GAF on admission 40; GAF on discharge 60

PROCEDURES/OPERATIONS: None

COMPLICATIONS: None

HISTORY OF PRESENT ILLNESS: The patient is a 52-year-old white male whose chief complaint is "off my medications for a week, drinking felt out of control". "I was laughing and crying, doesn't make sense, picked a woman the other night with the sole intent of killing her, I need help, I'm out of control." "I have been in prison for assault and attempted murder. Sometimes I have a problem with temper, been diagnosed with bipolar, antisocial personality disorder, and PTSD." The patient does admit to suicidal ideation and homicidal ideation. He states his sleep is erratic, but trazodone helps. He reports decreased appetite, decreased energy, decreased motivation.

CHILDHOOD DEVELOPMENT: The patient was adopted when he was 14 years old. Physical, sexual, and emotional abuse. "Dad used to beat me. Mom sexually abused me." Real mother had tuberculosis. Died when the patient was one year old. He does not real father except by name.

SUBSTANCE ABUSE: Alcohol - "Used to drink really heavy, then cut back to two to three beers per week". Started drinking a few days after inviting friends over for football game. Smokes one pack per for 42 years. Illegal drugs - "Used to do a lot of shit (gs) in the 60s and 70s."

PAST PSYCHIATRIC MEDICATIONS:

ER 0581

Men. Health Recs.
T. Dennis 327

RENO, NEVADA (654)

01/99 08:35

Page:

PATIENT NAME

DENNIS, TERRY J

AGE

SEX

RACE

SSN

CLAIM NUM

52

M

UNKN

534-44-8825

28379618

DM DATE

DISC DATE

TYPE OF RELEASE

INP

ABS

WARD NO

07, 1999

JAN 15, 1999

NON-SERV (OPT-NSC)

8

0

4 PSY

DISCHARGE MEDICATIONS:

1. Valproic acid, 500 mg p.o. b.i.d. for bipolar disorder
2. Prozac, 40 mg p.o. q.a.m. for depression
3. Trazodone, 50 mg p.o. q. hs prn insomnia
4. Multivitamins with minerals, one tab p.o. q. day

FOLLOW-UP:

1. Primary care provider on 02/02/99 at 1300 with Dr. Kasina
2. Medicine clinic for ADTP on 02/02/99 at 1130
3. ADTP group strategies meeting at 1700 on Monday evenings for alcohol abuse

DISCHARGE DIET: Regular as tolerated

PHYSICAL ACTIVITY LIMITS: Regular as tolerated

CONDITION UPON DISCHARGE: ~~Fair~~

The attending physician's signature on this discharge summary indicates that all medical record documentation of this inpatient is true, accurate and complete.

DD: 02/19/99 DT: 02/23/99 INFOPRO
Job # 50962

ER 0582

Men. Health Recs.
T. Dennis 328

SIGNATURE PHYSICIAN/DENTIST

/es/ JOHN C VAN BIBER 03/01/99
for JAMES ROBERT WHITMER

SIGNATURE APPROVING PHYSICIAN/DENTIST

/es/ JOHN C VAN BIBER 03/01/99
JOHN C VAN BIBER
acos psychiatry

MEDICAL RECORD

HISTORY—Part 1

AND DURATION OF COMPLAINTS (Include circumstance of admission)

52 yr old WM.

c-c. "Off my medication for a week, drinking
felt out of control."

HISTORY OF PRESENT ILLNESSES

"I was laughing & crying"

"doesn't make sense, picked
a woman the other night with
the sole intent of killing her—
I need help, I'm out of control."

"I've been in prison for assault &
attempted murder. Sometimes, have
a problem with temper. been dx
C- Bipolar, Antisoc; PTSD."

S/I +

H/I +

Sleep erratic, Trazadone helps.

Appetite ↓

energy ↓↓

motivation ↓↓

Quit?.

ER 0583

Men. Health Recs.
T. Dennis 329

→ cont.

[Signature]
1/8/97

(Continue on reverse side)

ENTIFICATION (For typed or written entries give: Name—last, first, middle; grade; rank; rate;
hospital or medical facility)

REGISTER NO.

WARD NO.

He is vietnam, noncombat veteran.

childhood/dev: Adopted when 1yr old.

physical, sexual & emotional abuse -

"Dad used to beat me; mom sexually abused me". Real mother had TB -

died when pt was 1yr old. Doesn't know

Real father except name.

Subs Abuse: "used to drink really heavy -

then cut back to 2-3 beers/week".

Started drinking few days ago after
inviting friend over for football game.

IPPD Gusher x 42 years

xc drugs: "used to do a lot of shit (drugs) in the
60's & 70's."

past 4 weeks: progac 40mg po q am

Li 300mg TID

Diphenhydramine 100mg

Prozac sleep

ER 0584

CLINICAL RECORD

HISTORY—Part 2

PAST HISTORY

INSTRUCTIONS.—Include (1) OCCUPATION (Civilian and military), (2) MILITARY HISTORY (Include geographic locations and dates), (3) HABITS (Alcohol, tobacco, and drugs), (4) FAMILY HISTORY, (5) CHILDHOOD ILLNESSES, (6) ADULT ILLNESSES, (7) OPERATIONS, (8) INJURIES, and (9) DRUG SENSITIVITIES AND ALLERGIC REACTIONS.

past med hpx: "I've had tumors removed
— my wrist " "I was a little kid"

"problem with cysts on my back"

"Basic run of the mill childhood
diseases - pneumonia, I got bronchitis
every year"

Other 4 hpx: "Got g. pneumonia since 1966 -
S/I, acting on it -
tried CO poisoning,
drug o/p. several times
Altercation with police"

ER 0585

Men. Health Recs.
T. Dennis 331

JML
1/8/99

(Continue on reverse side)

PATIENT'S IDENTIFICATION (For typed or written entries give, whenever known, name, middle initial, date, hospital or medical facility)

REGISTER NO.

WARD NO.

HISTORY (Parts 2 and 3)
Standard Form 100

DENNIS, TERRY J
534-44-8825 10/14/46

HISTORY—Part 3

SYSTEM REVIEW

INSTRUCTIONS.—Include (1) GENERAL, (2) HEAD [including (3) EYE, (4) EAR, (5) NOSE and (6) THROAT], (7) NECK, (8) RESPIRATORY, (9) CARDIOVASCULAR, (10) GASTROINTESTINAL, (11) GENITO-URINARY [and (12) GYNECOLOGICAL], (13) HEMOPOIETIC, (14) LYMPHATIC, (15) MUSCULO-SKELETAL and (16) NEURO-

Psychosis: a family support. a friend 1 Roommate

Income = \$691/month.

Housing: Shares 1 bedroom apt with roommate to

Labs:

TFT'S N

?R Non reactive

Chem panel N & chit.

AST 44 H

T-bil 1.5 H

ALT 48 H

GATP 132 H

chof. 186

HDL 101

MCV 94.7 H

Monos 8.7%

Eos 4.7%.

Amni random

—' tox

glucose 3+

ER 0586

Men. Health Recs.
T. Dennis 332

[Signature]

SIGNATURE OF PHYSICIAN

DATE

CLINICAL RECORD			PHYSICAL EXAMINATION				
DATE OF EXAM	HEIGHT	WEIGHT			TEMPERATURE	PULSE	BLOOD PRESSURE
		AVERAGE	MAXIMUM	PRESENT			
1/8/99	6'0"			152 lb			

INSTRUCTIONS. — Describe (1) General Appearance and Mental Status; (2) Head and Neck (General); (3) Eyes; (4) Ears; (5) Nose; (6) Mouth; (7) Throat; (8) Teeth; (9) Chest (General); (10) Breast; (11) Lungs; (12) Cardiovascular; (13) Abdomen; (14) Hernia; (15) Genitalia; (16) Pelvic; (17) Rectal; (18) Prostat; (19) Back; (20) Extremities; (21) Neurological; (22) Skin; (23) Lymphatics.

ASE: 52 yr old WM unkempt, bearded, hospital

Clothes, ~~avoid eye contact~~

Mood: "funky" dysphoric, isolative
affect: congruent,

Alert - OX 4.

S/I +
H/I +. } HPI.

TP/TC: clear, goal directed.

No A/V hallucinations.

I & J unpaired.

Concentration fair - Serial 7's OK 100 - - - 65.

P/E: HEENT: normal, normal

CVR: normal, 5/4/2

Lungs: clear.

Abdo: benign.

Ref: reflexes normal.

neuro: Cranial N intact. Special deficits
no weakness, no sp.

(Continue on reverse side)

ER 0587

Men. Health Recs.
T. Dennis 333

PATIENTS IDENTIFICATION (For typed or written entries give: Name—last, first, middle; grade; date; hospital or medical facility)

DENNIS, TERRY J

534-44-8825 10/14/46

REGISTER NO.

WARD NO.

PHYSICAL EXAMINATION

STANDARD FORM 508 (REV. 3-89)
General Services Administration
Interagency Committee on Medical Records
FPMR (41 CFR) 201-45.505

55+
5:10 PM

PHYSICAL EXAMINATION

Dx Axis I: Alcohol Abuse/Dependence
h/o Bipolar; PTSD.

II R/o Antisoc PD.

III 0

IV financial problems, & family support

V GAF 40
adm

A/P:

52yr old WM with a lot of psychosocial stressors - financial, social support, comes in with h/o childhood abuse, PTSD, ~~Antisocial~~ behavior, ~~pastor~~ and currently abusing alcohol. Pt is looking better today than when he came in. At this time, I won't put him on any 4 meds such as Prozac, Li, Val Acid which he has been taking earlier. w/ streamline there, & just observe on Eton w/dy protocol for now. Reassess in 3 days

[Signature]
4/5/99

[Signature]

INITIAL IMPRESSION

ER 0588

SIGNATURE OF PHYSICIAN

Men. Health Recs.
T. Dennis 334

CONTINUE ON BACK WHEN NECESSARY

Department of Veterans Affairs

MEDICAL CERTIFICATE

1. DATE 28-1453 AM PM	2. TIME	3. AGE 52	4. SEX <input checked="" type="checkbox"/> M <input type="checkbox"/> F	5. ON ARRIVAL PATIENT WAS <input checked="" type="checkbox"/> AMBULATORY <input type="checkbox"/> STRETCHER <input type="checkbox"/> WHEELCHAIR			6. PHONE NUMBER ()	7. HOMELESS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
8. GIES NKDA		9. WEIGHT 175	10. TEMPERATURE 97.6	11. PULSE 83	12. RESPIRATION	13. B/P 128/82	14. DUE TO INJURY <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	

1. CURRENT MEDICATIONS

see med profile

9. TRIAGE

Very depressed over the death of his friend. Has been drinking since Monday night. Would like ADTP.

11. SIGNATURE

Marka Haas Betty R

2. HISTORY AND PHYSICAL

PHH: 100000. 4 months. Alcohol Abuse
Medo: see profile NKDA
Surg: TRA

TORACO + ECHO + DULGS + OXYS
LRI: SCAPIS SPINOCALINE + TB + PUCW
+ CV A-Fib hx + OTHER + PUD
+ Hep C + Renal + HIV
+ BT + GU + Blood

Heart wnl
Lungs - clear
C/S R/R since

3. DIAGNOSTIC IMPRESSIONS

Medically clear for processing

4. PLAN

A. ATTENDING OF RECORD

15B. EXAMINER'S SIGNATURE

SECTION II - FOR PATIENT

DISPOSITION / CLINIC APPOINTMENT	2. AFTER CARE SHEET GIVEN <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	3. FOLLOWUP - ACTIVITY - LIMITATIONS
CONDITION <input type="checkbox"/> IMPROVED <input type="checkbox"/> SATISFACTORY <input checked="" type="checkbox"/> UNCHANGED	5. DATE / TIME OF DISCHARGE 11/22/98	6. SIGNATURE TO INDICATE INSTRUCTIONS GIVEN
7. PATIENT INSTRUCTIONS		

N13, TERRY J
-44-8825 10/14/46

Men. Health Recs.
T. Dennis 335

SOCIAL WORK SERVICE-REPORTS AND SUMMARIES

COMMENTS

HIGH RISK SCREENING (Each entry must be dated and followed by the typed/printed name and signature of the social worker.)

REFERRED BY: Triage to Ward 4

ADMITTED: 7 JAN 99

\$691 per month SSD

HIGH RISK SCREENING:

- ☒ 1. No adequate resources, income, housing, or support system.
- ☒ 2. Mentally or physically disabled or has terminal illness.
- ☒ 3. Patient has had multiple admissions to this or other hospitals.
- ☒ 4. History of medical or psychiatric non-compliance.
- ☐ 5. Patient admitted from another institution, i.e., ICF, SNF, and Residential Care Facility.
- ☒ 6. History of assaultive/disruptive behavior.
- ☐ 7. Acute family problems.
- ☐ 8. All patients over 70, living alone, or with a disabled/ill spouse.
- ☐ Needs Social Work Assessment; ☒ Does Not Need Social Work Assessment.

DISCHARGE PLANS: is considering going to the White City
inpatient for treatment of chronic mental health
substance abuse issues.

Date 11 JAN 99 Name Hamilton Title LCSW Social Worker

PATIENT PROFILE BASE LINE/SOCIAL WORK ASSESSMENT

DIAGNOSIS/SYMPTOMS:

RELIGION:

EARLY HISTORY:

MILITARY HISTORY:

ER 0590

Men. Health Recs.
T. Dennis 336

PRINT FROM PATIENT DATA CARD

(TURN UP AND CONTINUE ON REVERSE)

010796

MEDICAL RECORD

ENNIS, TERRY J
34-44-8825 10/14/46

SOCIAL WORK SERVICE
REPORTS AND SUMMARIES

122-5

PHYSICIAN DISCHARGE ORDERS/MEDICATIONS

1. Type of Discharge: OPT/NSC ☒ OPT/SC ☐ REGULAR ☐ IRREGULAR ☐
 2. Discharged to: VA-NHCU ☐ Contract NH ☐ Non-Contract NH ☐ Home ☒
 OTHER ☐ (Specify) _____

3. PRESCRIPTIONS: TO BE FILLED AT VA FACILITIES ONLY

Schedule II/III Controlled Drugs must be written on a separate prescription form (VA Form 10-2577D) in addition to being listed below.

Medications/Supplies	Directions (in lay terms)	Reason for Taking	Qty	Refills	Service Connected Med
* 1. VALPROIC ACID 250mg	TAKE 2 TABS TWICE A DAY	BIPOLAR DISORDER	120	2	
* 2. PROZAC 20mg	TAKE 2 TABS IN THE MORNING		60	1	
* 3. TLAZODONE 50mg	TAKE ONE PILL AT BEDTIME PRE	INSOMNIA	15	0	
4.	INSOMNIA				
* 5. MVI W/MINERALS	1 TAB PO EACH DAY		30	2	
6.					
7.					
8.					
9.					
10.					
11.					
12.					
13.					
14.					
15.					
16.					
17.					

4. Recommend copy of Discharge Summary to private physician: _____
 (Release of information required to be signed by patient)

Done: ☐ Int: _____

5. VA/other: Follow-up:

Lab/X-ray for Follow-up:

Clinic

Date/Time Init.

Clinic

Date/Time Init.

HAVE CARE PROVIDED IN 3-4 WEEKS W/ BLUE TEAM DR KUCERA 2-18-99 1:00 PM
 SO CLINIC FOR ADT ADTP IN 2-4 WEEKS 2-2-99 11:30 AM
 TP STRATEGIES @ 17:00 GROUP @ 17:00 ON MONDAY AFTERNOON FIGHT

Men. Health Recs.
 T. Dennis 337

IMPRINT OF VETERAN'S DATA CARD

010'40

Date: 1/15/99

M.D. Signature: [Signature]

PHYSICIAN DISCHARGE INSTRUCTIONS/NOTES6. Can return to work on: NA Full Duty ☐ Restricted Duty ☐

7. Physical activity limitations/special instructions/rehab potential:

☒ Return to pre-hospital activities: AS TOLERATED

Other (specify): _____

8. Discharge Diet instructions: (check one) ☒ No Restrictions ☐ Restrictions (specify) _____9. Admission Date: 1/7/99Discharge Date: 1/15/99

(Circle Diagnoses from discharging bed section)

10. Discharge Diagnoses: 1. (Principal Diagnosis) ALCOHOL DEPENDENCE2. NO BIPOLAR DISORDER

4. _____

3. NO ANTISOCIAL PERSONALITY DISORDER

5. _____

Other: GAF 40-50 ADMISSION; 60-70 D/C11. Procedures/Operations: CHEST X-RAY

12. Discharge Note: (must note chief complaint/status of chief complaint at discharge) PATIENT IS A 52-YO WHO PRESENTED TO TRUAX WITH COMPLAINT OF "COULD NOT" AND RESTRICTED DRINKING. PATIENT REPORTS THAT HE HAS BEEN OFF OF HIS MEDICATIONS FOR 2 WEEKS. PATIENT UNDERWENT NO DETOXIFICATION WITHOUT ANY COMPLICATIONS. PATIENT WAS RESTARTED ON PHOLIC ACID 500mg PO BID; PROZAC 40mg PO QAM AND TRAZADONE 50mg PO QHS. PATIENT STATES THAT HE FEELS NOW FEELS IN CONTROL. PATIENT THAT PATIENT'S BDI CURRENTLY 24 W/ A AND IS NOT ACTIVELY VICEDAL AND HE DENIES ANY INTENT TO HARM ANYONE ELSE. HE DENIES GOING TO DR D/C ON VALPROIC ACID 250mg PO BID; PROZAC 40mg PO QAM; AND TRAZADONE 50mg PO QHS FOR INSOMNIA. HE IS SCHEDULED FOR FOLLOW UP APPOINTMENTS WITH (1) PCMR PROVIDER (DR KOLENA ON BLUE TEAM) MED CLINIC FOR ADTP IN 2-4 WEEKS. PATIENT ATTENDS GROUP @ 1700 MONDAY NIGHTS.

Men. Health Recs.

T. Dennis 338

IMPRINT OF VETERAN'S DATA CARD

I have received and understand my discharge instructions.

Patient Signature: Terry J. DennisDate: 1/15/99M.D. Signature: [Signature]

DENNIS, TERRY J
534-44-3635 10/14/46

Department of Veterans Affairs

MEDICAL RECORD

SERVICE TREATMENT PLAN

Mental Health Service
Interdisciplinary Treatment Plan

Patient Identifying Information:

5240 Can of VN era veteran, USAF

Chief Patient Complaint & Major Symptoms:

in losing it... I've been off my medication for a week
 "felt out of control" "I'm laughing and crying"
 "need help in I'm out of control" "I picked up a girl with the intent
 of killing her"

Diagnostic Impression:

Axis I:

alcohol abuse / dependence
w/o bipolar DO, Rochill hood PTSD

Axis II:

L/o antisocial PD

Axis III:

0

Axis IV:

financial problems, family support

Axis V: GAF (at admission) =

CAF 40 at admit

Treatment Team Signatures (Indicate case manager with an asterisk [*]):

[Signature]
[Signature]

[Signature] LESW *

[Signature] HR

[Signature] Fowler RN

I have participated in the formulation of this treatment plan:

[Signature]

Patient Signature

Date

Men. Health Recs.
 T. Dennis 339

SIGNATURE/TITLE-PRACTITIONER

[Signature]

01 07 90

DATE

11/12/98

if in space below - PATIENT IDENTIFICATION - Treating Facility - Ward No.

Date

MEDICAL RECORD
 SERVICE TREATMENT
 PLAN

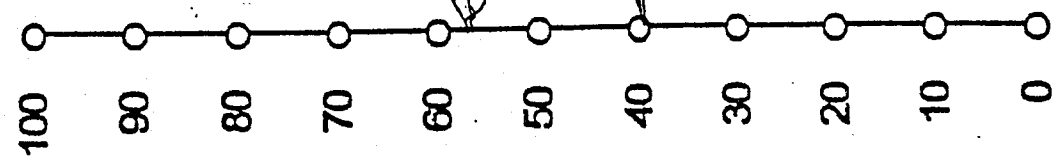
DENNIS, TERRY J
 534-44-8825 10/14/46

654
 5210.44

Global Assessment of
Functioning

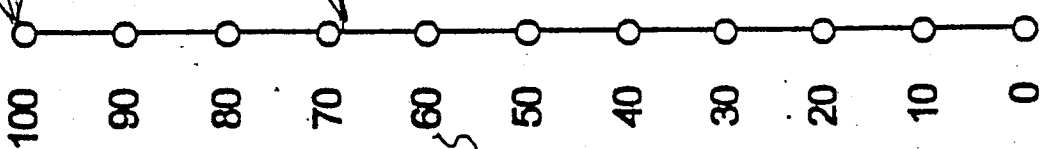
Rating Scale #2:

Detox 3x



← 12 JAN 92 (58), 1-15

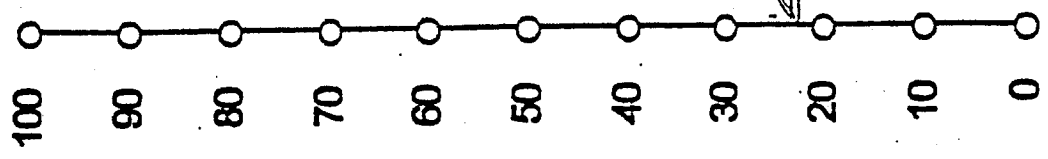
← 7 JAN 92 (40)



← (68) 1-7-99

Rating Scale #3:

Beck Depression Scale



← (24) 1-7-99

Men. Health Recs.
T. Dennis 340

How will progress be achieved (i.e., treatment modality):

Ward medicine
Recommended Clinics / Therapies, mgls
as prescribed. Recommended Salivation
Army / Bell Street Drop in Ctr.

Clinician(s):

Williamson (LCSW)

(If other than case manager)

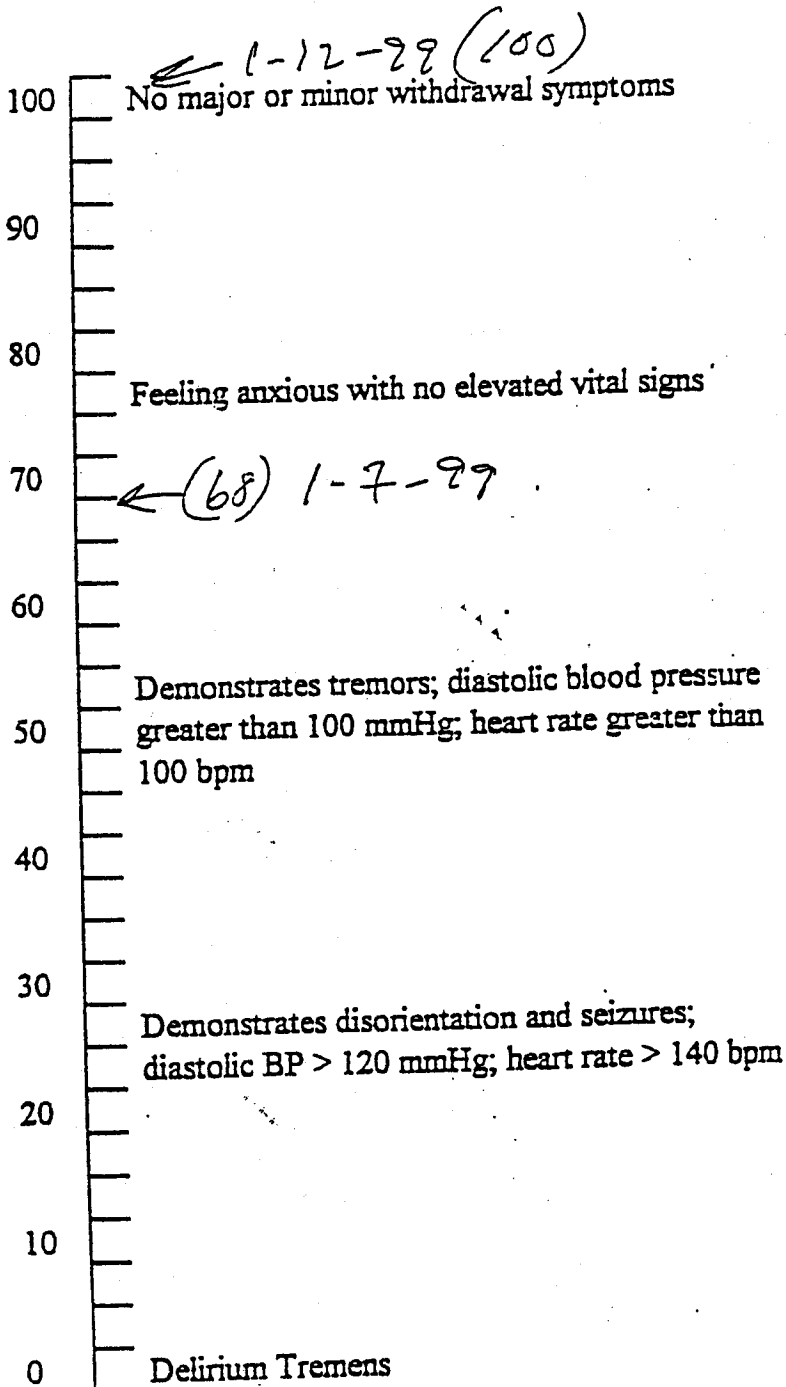
Treatment Begin Date:

1-7-99

Planned Tx End Date:

Code Name: Detox.

Detoxification



Special Instructions:

This scale measures severity of withdrawal symptoms during detoxification.

ER 0595

Reno V.A.M.C. Supplemental Assessment of Functioning Scale

Last Modified: 3/4/98

Continuation of Medical Record Service Treatment Plan 10-0043a

Men. Health Recs.

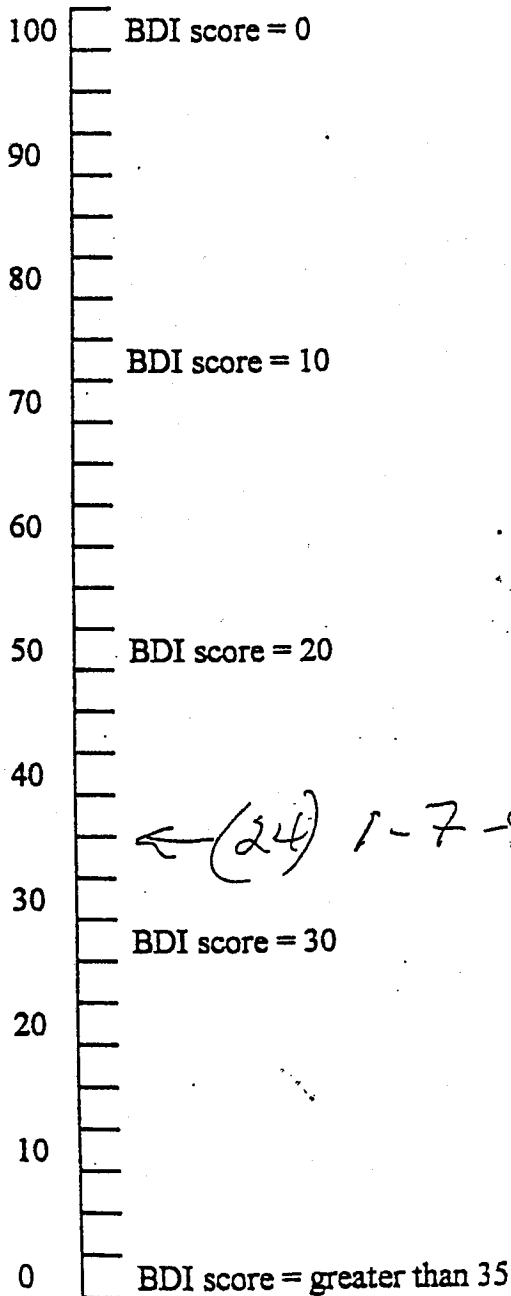
T. Dennis 341

Dennis, Terry

65*

Code Name: BDI Score

Beck Depression Inventory Score



Special Instructions:

Rating is based on scores on the Beck Depression Inventory filled out by the patient.

ER 0596

Reno V.A.M.C. Supplemental Assessment of Functioning Scale

Version DEP.01.01

1st Modified: 3/4/98

Continuation of Medical Record Service Treatment Plan 10-0043a

Dennis, Terry 654

Men. Health Recs.
T. Dennis 342

ars

Vent. rate 74 bpm
PR interval 142 ms
QRS duration 86 ms
QT/QTc 364/404 ms
P-R-T axes 65 86 55

Normal sinus rh
Normal ECG

Men. Health Recs.
343
T. Dennis

n: 415D

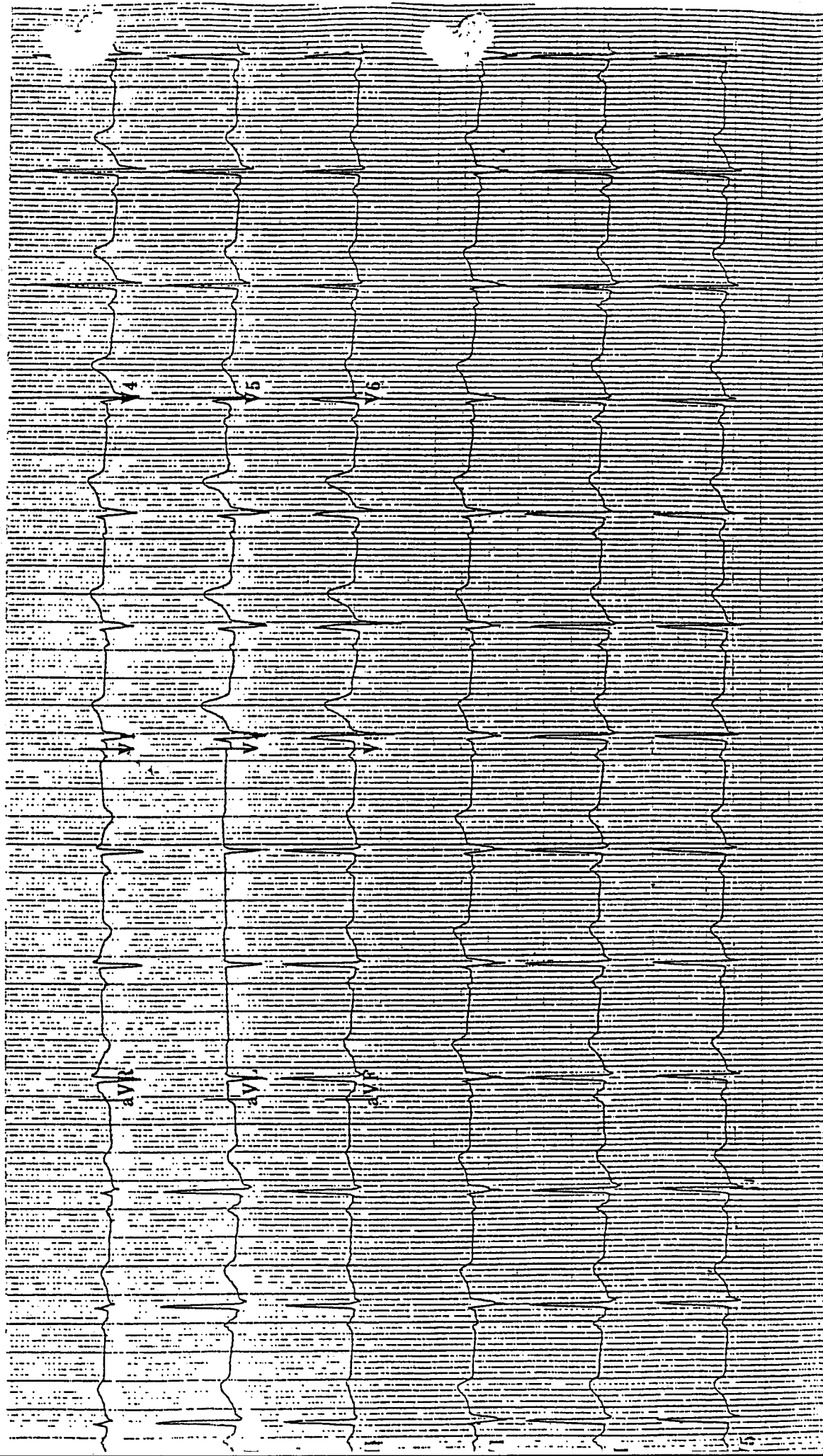
4

Technician: JP

ER 0597

Referred by: BHANVER

Unconfirmed





☐ DISCHARGE PLANNING

[illegible]

Men. Health Recs.
T. Dennis 344

DATE:

Date _____

Wennis, Terry
524-44-8815 1D-14-41

ER 0598

MEDICAL RECORD
OVERALL TREATMENT

Men. Health Recs.
T. Dennis 345

ER 0599

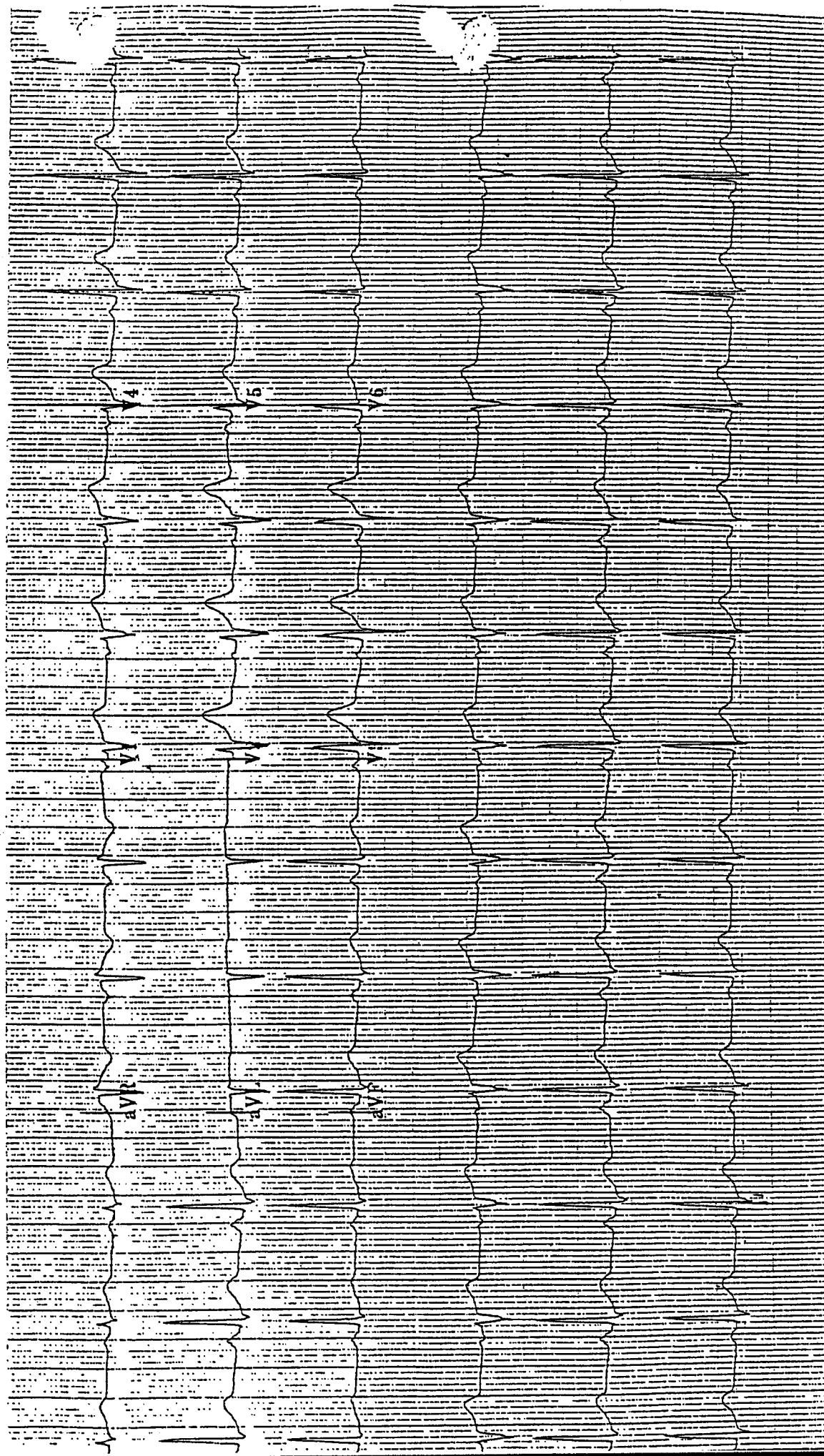
Unconfirmed

Referred by: BHANVER

Normal sinus rhythm
Normal ECG

Vent. rate 74 bpm
PR interval 142 ms
QRS duration 86 ms
QT/QTc 364/404 ms
P-R-T axes 65 86 55

Technician: JP



PATIENT NAME : AGE : SEX : RACE : SSN : CLAIM NUMBER
 DENNIS, TERRY J : 51 : M : UNKN : 534-44-8825 : 28379618

M DATE : DISC DATE : TYPE OF RELEASE : INF : ABS : WARD NT
~~28-1998~~ ~~10-02-1998~~ : NON-SERVICE CONNECTED (OPT-NSC) : 111 : 0 : 4 PSY

DICTATION DATE: ~~DEC 23, 1998~~ TRANSCRIPTION DATE: ~~DEC 29, 1998~~
 TRANSCRIPTIONIST: ip

DISCHARGE DATE: 10/09/98

PATIENT NAME: DENNIS, TERRY

PRINCIPLE DIAGNOSES:

- xis I PTSD. Impulse control disorder. Alcohol abuse, rule out dependence. Rule out bipolar disorder, Type II. VS depressive disorder.
- xis II Low antisocial personality disorder.
- xis III History of Hepatitis-C. History of atrial fibrillation.
- xis IV Severe stressors.
- xis V GAF admission 45, discharge 60.

HISTORY OF PRESENT ILLNESS: 51-year-old White male seen briefly in outpatient Clinic and ~~admitted~~ to Inpatient due to ~~suicidal ideation~~. Patient has history of depression and suicidal ideation with multiple Inpatient admissions. He has been living in a ~~rented~~ car for the past two weeks after he was kicked out of his ~~apartment~~. Patient was taking Prozac, BuSpar, Vistaril and ~~estoril~~. He reports self medicating with alcohol. His sleep has been erratic and has had suicidal thoughts, but no plans. Has been ~~irritable and angry~~. Has a history of prison incarceration for assault and battery. Has been in jail for domestic abuse. He has nightmares and flashbacks from physical, mental, sexual abuse as a child.

LABORATORY FINDINGS: Lithium was within the therapeutic range on 0/03/98. HIV negative. Thyroid Function tests are normal. Hepatitis-C antibodies positive. Cholesterol 172. HDL's 67. Urine random is negative for tox. Urine random is otherwise normal. Chem-panel is normal, except high AST of 98. High ALT 35. Blood indices: WBC's high 12.3, MCV high 93.5, Platelets high 440,00. Neutrophils high 74%. Lymphocytes low 18%.

Men. Health Recs.
 T. Dennis 346

MENTAL STATUS EXAM: Alert, oriented X 3. Abstract-OK. Hypothetical judgement is appropriate. Serial 7's: Increased memory are okay. Image at memory 3 X 3. Was cooperative. Mood mildly anxious. Affect congruent, dysphoric. Speech normal. Fear incoherent. Thoughts clear and organized. Denied ABL's, ideations or delusions. Active suicidal ideation. Insight and judgement questionable.

PHYSICAL EXAM: Medically clear by Triage. Essentially, there were no apparent positive physical findings.

TREATMENT GIVEN AND HOSPITAL COURSE: On admission, the patient was

PATIENT NAME	AGE	SEX	RACE	SSN	CLAIM NUMBER
ENNIS, TERRY J	51	M	UNKN	534-44-6825	28379618

DATE	DISC DATE	TYPE OF RELEASE	INP	ABS	WARD NO
28, 1998	OCT 09, 1998	NON-SERVICE CONNECTED (OPT-NSC)	111	01	4 PSY

tarted on alcohol withdrawal protocol. HIV test and Hepatitis panel were ordered. He was also given Prozac, BuSpar, and trazodone, in addition to Lithium. ADTP consult was sent. Patient attended ward therapies. His psycho-social stressors were evaluated. Patient was born in Washington and raised near Seattle. He last worked May, 1998, as a glass cutter. His living situation is he has been sleeping in friends car for past week, is currently divorced and plans to stay in Reno and use Outpatient Mental Health Clinic for after care. Was considering the use of Emotions Anonymous for self help. On the ward, patient's symptoms improved and he was re-educated on Hepatitis-C. He ~~was able to do his own ADL's and so was ready for discharge.~~ Since 10/01/98, was able to do his own ADL's and so was ready for discharge.

FOLLOW-UP: Mental Health Clinic, 10/23/98 @08:30 hours. Follow-up by the Team, Dr. Holder, Follow-up ADTP, ~~discharge to 172 WAT House.~~

DISCHARGE MEDICATIONS:

Bupirone 15 mg p.o. t.i.d.
 Fluoxetine 30 mg p.o. q.A.M.
 Lithium 300 mg p.o. t.i.d.
 Multi-Vitamins one tab p.o. qDay.
 Trazodone 15 mg 1-2 p.o. qHS p.r.n. for sleep.

DIET RESTRICTIONS: None.

CONDITION UPON DISCHARGE: Stable.

The attending physician's signature on this discharge summary validates that all medical record documentation of this inpatient stay is true, accurate and complete.

DATE: 12/23/98 DT: 12/28/98 INFOPRO
 ID: # 36331

ER 0601

Men. Health Recs.
 T. Dennis 347

PHYSICIAN/DENTIST

SIGNATURE APPROVING PHYSICIAN/DENTIST

by/ JOHN C VAN BIBER 01/02/99
 for INDER BHANVER

/es/ JOHN C VAN BIBER 01/02/99
 JOHN C VAN BIBER
 M.D. psychiatry

MEDICAL RECORD

HISTORY—Part 1

WD DURATION OF COMPLAINTS (Include circumstance of admission)

IO- 51 yo WM was seen briefly in OP clinic and was admitted to inpatient ^{after} ~~when~~ he talked about his SI and would not agree to be safe.

HISTORY OF PRESENT ILLNESSES

HPI- Has a H/O depression and SI with multiple inpatient admissions. He has been living in a friend's car for the past 2 weeks after he was ~~kicked out of his apartment~~ when he became aggressive. He was not allowed to return to pick up his med and therefore was off meds. for 2 wks. prior to 3 days ago, he was taking Prozac, Buspar, Vistaril & Restoril. He reports significant depression and anxiety and has been "self-educating" with alcohol. His sleep has been "erratic." He has had suicidal thoughts but ~~no plan~~. He has been irritable and angry and freq. has difficulty controlling his anger. He has been in prison for assault & battery and has been in jail for domestic abuse. He has a H/O SAs by OD & carbon monoxide. He has nightmares & flashbacks from "mental, physical and sexual abuse as a child." He has a H/O impulsivity and has gambled to the point of getting himself in financial trouble. He has stayed awake up to 3 d. & feeling like he needs to sleep.

Men. Health Recs.
T. Dennis 348

(Continue on reverse side)

NOTIFICATION (For typed or written entries give: Name—last, first, middle; grade; rank; rate;
CRAN hospital or medical facility)

NV 89520

REGISTER NO.

9/28/98

WARD NO.

Dennis, Terry

74 44 025 ON 101446 654

HISTORY—Part 1

Medical Record

CLINICAL RECORD

HISTORY—Part 2

PAST HISTORY

INSTRUCTIONS.—Include (1) OCCUPATION (Civilian and military), (2) MILITARY HISTORY (Include geographic locations and dates), (3) HABITS (Alcohol, tobacco, and drugs), (4) FAMILY HISTORY, (5) CHILDHOOD ILLNESSES, (6) ADULT ILLNESSES, (7) OPERATIONS, (8) INJURIES, and (9) DRUG SENSITIVITIES AND ALLERGIC REACTIONS.

Meds - Prozac 30 mg qd, Buspar 15 mg tid and Vistaril 50 mg bid.

He denies ever being on a mood stabilizer.

Previous meds - Paxil, Zoloff, Serzone, Trilafon - stopped when voices stopped.

Allergies - NKDA

PMH - H/O A.G.B. 4-5 yrs. ago. H/O Hepatitis C. Seborrhea on the scalp genitals. T: A "asa kid". Had a "tumor" taken off wrist "as a kid."

Past Psych - He was admitted W/H 7/98 for depression. He was therefore 2 wks sent home and returned shortly and then was inpt. at W/H for 3 wks. He has a H/O multiple SA's by OD and Carbon monoxide. PMH x 2 for depression: SI - 1966 → in Military in hosp. after SA.

FH - Doesn't know because pt. adopted at 1 yr. old.

Employment - Last worked 5/98 as a porter at Flamingo → fired for arguing. Longest job is 5 yrs. as a glass cutter ending 1981. Last work as a glass cutter in 1991.

Legal Hx - Prison twice - "Assault & battery" and "Possession of marijuana". May have a warrant out because he is supposed to do 8 hrs. of community service for "domestic battery" - other convictions → misdemeanor assaults, posses of a firearm, grand theft, shoplifting.

Habits - ETOH = 2-4 ^{days up to 2 quarts} / day - starting about 1 week after D/C from W/H. H/O Heavy drug use - including IV drugs - but he denies a drug for several years.

(Continue on reverse side)

PATIENT IDENTIFICATION (For typed or written entries give Name, last, first, middle, grade, date, hospital, or medical facility)

REGISTER NO.

WARD NO.

S. TERRY J
PRAM 3

29
031
NV 89520

Men. Health Recs.
T. Dennis 349

HISTORY (Parts 2 and 3)
Standard Form 605

34 44 3425 DH 101446 654

HISTORY—Part 3

SYSTEM REVIEW

INSTRUCTIONS.—Include (1) GENERAL, (2) HEAD (including (3) EYE, (4) EAR, (5) NOSE and (6) THROAT, (7) NECK, (8) RESPIRATORY, (9) CARDIOVASCULAR, (10) GASTROINTESTINAL, (11) GENITO-URINARY (and (12) GYNECOLOGICAL), (13) HEMOPOIETIC, (14) LYMPHATIC, (15) MUSCULO-SKELETAL and (16) NEURO-PSYCHIATRIC SYSTEMS.

Developmental - Adopted at age 1 yr. Has 1 bro - also adopted
 Mom's Uncle sexually abused pt. Dad physically abusive.
 Adopted - Mom died when pt. age 12 yrs. Adopted - Dad died when pt 15 yrs → then
 sent to live w relatives. Finished H.S. "I was kind of a
 hoodlum" - got in a lot of trouble as a kid. Set fires as a
 kid. Got in a lot of fights. Denies cruelty to animals.

MS - A & O. Pres = $\frac{3}{3}$. Abstracts simple proverbs.
 Hypothetical judgement is appropriate. 93-86-79-72-6.
 Recent memory $\frac{2}{3}$, Immed. memory $\frac{3}{3}$. Was cooperative.
 Appeared mildly anxious. Appeared to be holding in a lot
 of anger but he did not act out anger during the interview.
 He has been living in a friend's car and therefore does not have
 optimal grooming. Speech normal. He freely answered all
 directed questions but offered little spontaneously.
 Thoughts clear & organized. Denied hallucinations. Active
 S.F. will not contract for no self-harm.

Military - 1/65 - 11/68 - Air Force. Honorably discharged.
 Worked in navigational aids - radar - then sent to work in
 Administration after he had a SA.

Men. Health Recs.
 T. Dennis 350

PE - Done in ER/Triage

Dr. Steinagel MD
 9/28/98

SIGNATURE OF PHYSICIAN

DATE

Standard Form 504

CLINICAL RECORD			PHYSICAL EXAMINATION				
DATE OF EXAM.	HEIGHT	WEIGHT			TEMPERATURE	PULSE	BLOOD PRESSURE
		AVERAGE	MAXIMUM	PRESENT			

INSTRUCTIONS.—Describe (1) General Appearance and Mental Status; (2) Head and Neck (General); (3) Eyes; (4) Ears; (5) Nose; (6) Mouth; (7) Throat; (8) Teeth; (9) Chest (General); (10) Lungs; (11) Cardiovascular; (12) Abdomen; (13) Hernia; (14) Genitalia; (15) Rectum; (16) Prostate; (17) Back; (18) Extremities; (19) Neurological; (20) Skin; (21) Lymphatics.

Dx - Axis I - PTSD

Generalized anxiety D/O

Impulse Control D/O

Alcohol abuse R/O Dependence

R/O Bipolar D/O, type # II vs

Depressive D/O

Axis II - Antisocial traits - R/O Antisocial Personality D/O

Axis III - H/O Hep. C and H/O. A fib

Axis IV - Severe Stressors

Axis V - GAF = 45-50

Plan = Will continue Prozac 30 mg qd and Buspar 45 mg qd. Hepatitis panel ordered. Detox. protocol ordered. Pt. would likely benefit from a mood stabilizer. We discussed lithium and pt. is willing to try this if his treatment team agrees to this tx. He will need help in housing prior to discharge. After admission pt. agreed to contract for no self harm.

(Continue on reverse side)

PATIENT'S IDENTIFICATION (For typed or written entries give: Name—last, first, middle; grade; date; hospital or medical facility)

REGISTER NO.

WARD NO.

9/20/92

S. TERRY J 29
GRAN 3 031
NV 89520

09 SEP 92

Men. Health Recs.

T. Dennis 351

PHYSICAL EXAMINATION

Standard Form 504

General Services Administration and
Interagency Committee on Medical Records
FIRM 141 CFRI 201-45.505

34 44 8825 DH 101446 654

CONTINUE ON BACK WHEN NECESSARY

Department of Veterans Affairs

MEDICAL CERTIFICATE

1. DATE 8/98	2. TIME 1300 PM	3. AGE 57	4. SEX <input checked="" type="checkbox"/> M <input type="checkbox"/> F	5. ON ARRIVAL PATIENT WAS <input checked="" type="checkbox"/> AMBULATORY <input type="checkbox"/> STRETCHER <input type="checkbox"/> WHEELCHAIR			6. PHONE NUMBER ()	7. HOMELESS <input type="checkbox"/> YES <input type="checkbox"/> NO
ERGIES NKSA			8B. WEIGHT	8C. TEMPERATURE 98.4	8D. PULSE 101	8E. RESPIRATION	8F. B/P 112/70	8G. DUE TO INJURY <input type="checkbox"/> NO <input type="checkbox"/> YES

9. CURRENT MEDICATIONS

10. TRIAGE

for medical clearance - FB admit -
pt reportedly suicidal

11. SIGNATURE

[Signature]

12. HISTORY AND PHYSICAL

PHH: kidneys: gunshot wound & fracture spine
Hep C
Surg: T+A
MEDS: see profile NKSA
TOBACCO (+) ESTH (+) DRUGS (+) hx dem x 2 yrs
PSS: (-) CNS (-) ENDOCRINE (-) TO (-) PULM
(+) CV A-FIB 45 yrs ago (-) HTN (-) AT
(-) PUD (+) Hepatic (-) Renal (-) HIV
O/GT (-) W/OBL
Heart: val
lungs: clear
CVL R/L S med

13. DIAGNOSTIC IMPRESSIONS

Medically clear for Prison entry

14. PLAN

15A. ATTENDING OF RECORD

15B. EXAMINER'S SIGNATURE

SECTION II - FOR PATIENT

1. DISPOSITION / CLINIC APPOINTMENT	2. AFTER CARE SHEET GIVEN <input type="checkbox"/> YES <input type="checkbox"/> NO	3. FOLLOWUP - ACTIVITY - LIMITATIONS
4. CONDITION <input type="checkbox"/> IMPROVED <input type="checkbox"/> SATISFACTORY <input type="checkbox"/> UNCHANGED	5. DATE / TIME OF DISCHARGE	6. SIGNATURE TO INDICATE INSTRUCTIONS GIVEN
7. PATIENT INSTRUCTIONS		

IMPRINT PATIENT DATA CARD

Men. Health Recs.
T. Dennis 352

HHS. TERRY J

4-44-8E25 10/14/46

SOCIAL WORK SERVICE - REPORTS AND SUMMARIES

COMMENTS

HIGH RISK SCREENING (Each entry must be dated and initialed by the typed/printed name and signature of the social worker.)

REFERRED BY: *Traze & Wad*ADMITTED: *28 Sep 98*

HIGH RISK SCREENING:

- ☒ 1. No adequate resources, income, housing, or support system.
- ☒ 2. Mentally or physically disabled or has terminal illness.
- ☐ 3. Patient has had multiple admissions to this or other hospitals.
- ☐ 4. History of medical or psychiatric non-compliance.
- ☐ 5. Patient admitted from another institution, i.e., ICF, SNF, and Residential Care Facility.
- ☒ 6. History of assaultive/disruptive behavior.
- ☒ 7. Acute family problems. *Separated from family*
- ☐ 8. All patients over 70, living alone, or with a disabled/ill spouse.
- ☒ Needs Social Work Assessment; ☐ Does Not Need Social Work Assessment.

DISCHARGE PLANS:

Plans to stay in Lewis use the pit with clinic for after care. Will consider use of Emotion Anonymous for self help.

Date

Name

Title

ill see Vet Serv officer about VA nurse

*R/O child
PTSD*

PATIENT PROFILE BASE LINE/SOCIAL WORK ASSESSMENT

DIAGNOSIS/SYMPTOMS:

*5140 USAF UN era veteran 20 to 30 Social
is a dep III Chronic back pain IV Homeless, insufficient food -
Severe*

RELIGION:

No Pref.

U456A1

EARLY HISTORY:

*Both in Everett Wa raised near Seattle, 4
is (adopted) raised 10, School bts + 1 yr of CC, memories
Physical, emotional & self abuse*

MILITARY HISTORY:

USAF 1/65 - 11/68

Serial attempt in 1966 -

(TURN UP AND CONTINUE ON REVERSE)

IMPRINT FROM PATIENT DATA CARD

Men. Health Recs.
T. Dennis 353

MEDICAL RECORD

SOCIAL WORK SERVICE
REPORTS AND SUMMARIES

122-5
APPROVED/2/90

IS, TERRY J
ICRAN 3

29

09 30 98

031

NV 89520

334 44 9825 DX 101446 654

(Page 2)

PATIENT PROFILE BASE LINE/SOCIAL WORK ASSESSMENT

LIVING SITUATION: Sleeping in a friends car for part week.
Some drinking. Depressed & suicidal ideation

MARITAL HISTORY: 3x now divorced

CHILDREN: ♂ 22 Last seen 4 yrs ago

FINANCES/VA DISABILITY STATUS/EMPLOYMENT HISTORY:

INCOME: \$ 683.00 per month SSD - 20% back + problems

OCCUPATION: Glass cutter

LAST WORKED: 5/98

NOK/RELATIVES/SO: none

PHYSICAL FUNCTIONING: Chronic lumbar pain - Can meet ADL's

MENTAL STATUS IMPRESSIONS:

8x4, competent

PROBLEM LIST/INTERVENTION PLANS:Presenting Problems

Housing
Suicidal at admission 4. financial
Effective DO

PLAN:

attend all wad therapy
social work assessment - done

10/1/98 Hamilton LCSW Social Worker

DateNameTitle

encouraged pt to explore SC for AD
suicide attempt

PHYSICIAN DISCHARGE INSTRUCTIONS/NOTES

Can return to work on: _____ Full Duty ☒ Restricted Duty ☐

Physical activity limitations/special instructions/rehab potential:

☒ Return to pre-hospital activities: _____
Other (specify): _____

8. Discharge Diet instructions: (check one) ☒ No Restrictions ☐ Restrictions (specify) _____

9. Admission Date: 9/28/98

Discharge Date: 10-9-98

(Circle Diagnoses from discharging bed section)

10. Discharge Diagnoses: 1. (Principal Diagnosis)

PTSD 2. Antisocial traits

H/O Hep C H/O A Fib

3. Alcohol Abuse 4. Severe stressors

5. CAF = 45-~~2~~ H/L

65-01C

Other: _____

11. Procedures/Operations: _____

12. Discharge Note: (must note chief complaint/status of chief complaint at discharge)

seen
dis
up.
Pt ~~was~~ admitted with history of aggressiveness, depression and anxiety. His mood has been stabilized with medication. He is being discharged to independent living, with follow-up at ~~men~~ outpatient mental health clinic.

Li level is in therapeutic range. He desires major medication side effects. Was reeducated on Hep C. He denies outside ST since 10-1-98. He is able to do own ADL's. He is to FU with PTSD. Will be discharged to a 2 way house.

Men. Health Recs.
T. Dennis 356

S. TERRY J

29

I have received and understand my discharge instructions.

Patient Signature: Terry J. Terry

Date: 10-9-98

M.D. Signature: Terry J. Terry

IMPRINT OF VETERAN'S DATA CARD

MIS, Terry

4 3825 DX 101446 634

3379619 5

7



Department of Veterans Affairs

MEDICAL RECORD

SERVICE TREATMENT PLAN

Mental Health Service

Interdisciplinary Treatment Plan

Patient Identifying Information: *51 year old male.*

See H&P

Chief Patient Complaint & Major Symptoms:

See H&P

Diagnostic Impression:

Axis I:

Agree H&P

Axis II:

Axis III:

Axis IV:

Axis V: GAF (at admission) =

Treatment Team Signatures (Indicate case manager with an asterisk [*]):

L. Koutcher PhD

D. K. King, MD

C. M. S. M.D.

Rita Fowler, MD

John Van Buren, MD

I have participated in the formulation of this treatment plan:

[Signature]

Patient Signature

10-1-98

Date

Men. Health Recs.
T. Dennis 357

NATURE/TITLE-PRACTITIONER

DATE

* in space below - PATIENT IDENTIFICATION - Treating Facility - Ward No.

Date

WIS. TERRY J 29
CRAN 3 031
NV 89520

09 2P 98

4 44 3825 DM 101446 654

9379618 5 7

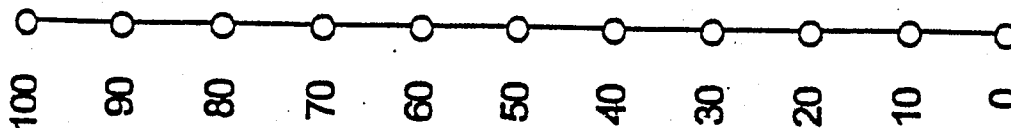
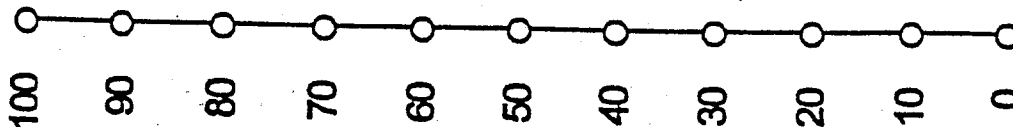
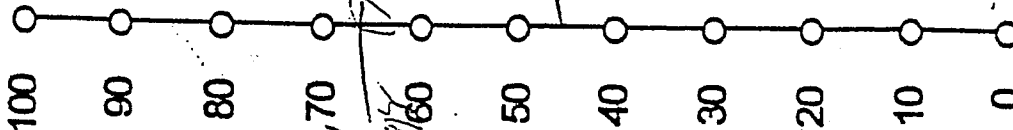
MEDICAL RECORD
SERVICE TREATMENT
PLAN

Global Assessment of
Functioning

Rating Scale #1

See Appendix

Rating Scale #3:



10-5-98

Admission 4-5

How will progress be achieved (i.e., treatment modality):

See Appendix assessment & methods

Clinician(s):

(If other than case manager)

Treatment Begin Date: _____ Men. Health Recs. _____
Planned Tx End Date: _____ T. Dennis 358

Code Name: Acute Suicidal

Acute Suicidal Ideation

Special Instructions:

This scale measures acute suicidal ideation.

- 100 No thoughts of suicide since admission, and has definite life plans.
- 90 ☒ No thoughts of suicide for at least the past 3 days. 10-4-98
- 80
- 70 ☒ No thoughts of suicide for at least the past 24 hours. 10-1-98
- 60 Has thoughts of suicide, but can usually refocus attention. 9/28/98
- 50 Can not refocus attention away from suicidal thoughts.
- 40
- 30 Has formulated plan of action for suicide.
- 20
- 10 Has made suicidal gestures, or initiated attempt at suicide.
- 0 Attempts suicide (successfully or unsuccessfully).

methods
Psychotherapy Gr
& Group Therapy
meds for this mood

ER 0613

Reno V.A.M.C. Supplemental Assessment of Functioning Scale

Version SUI.02.01

Last Modified: 3/4/98

Continuation of Medical Record Service Treatment Plan 10-0043a

Dennis, Terry #8825 654

534-44-8825 10/446

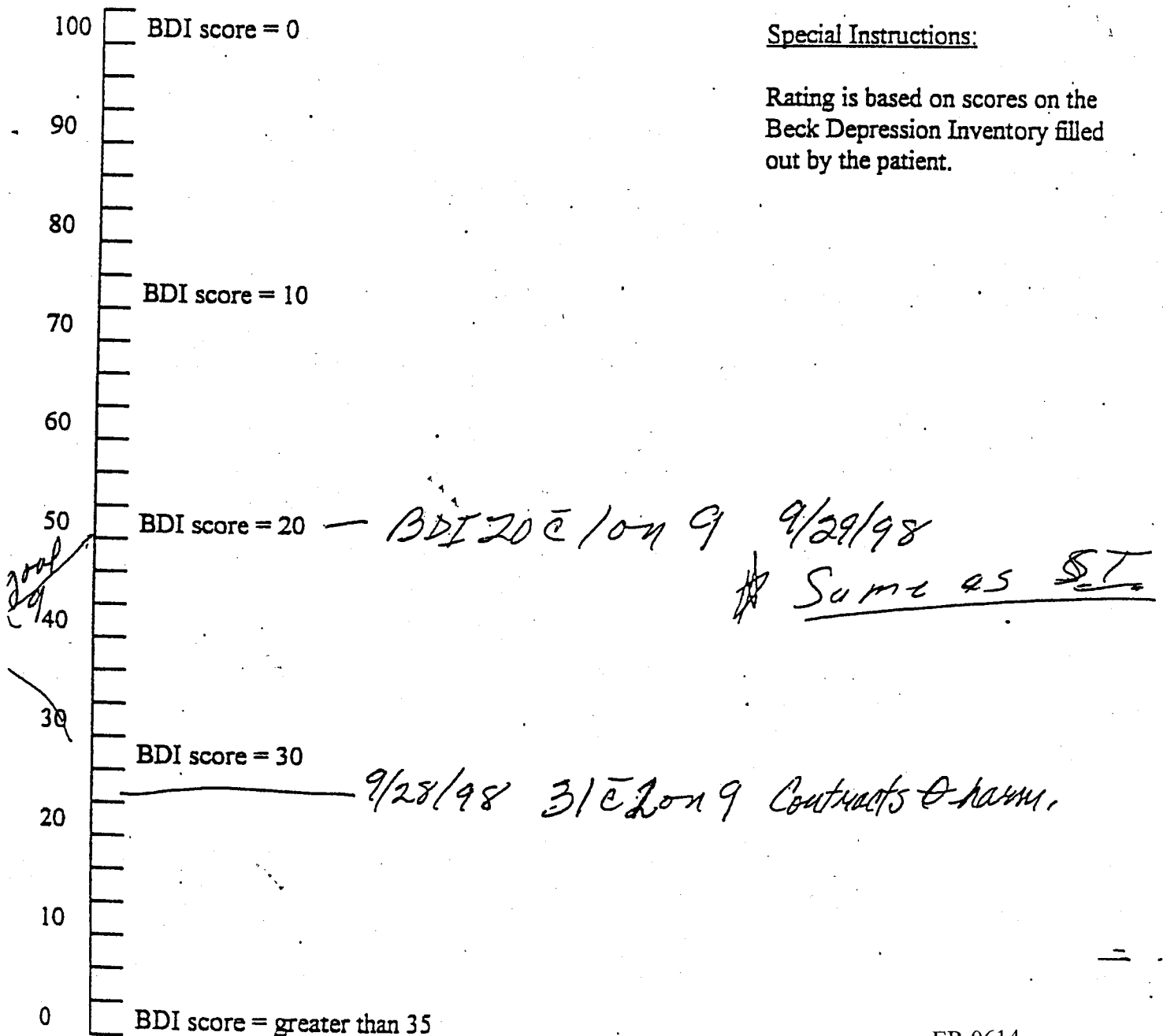
Men. Health Recs.
T. Dennis 359

Code Name: BDI Score

Beck Depression Inventory Score

Special Instructions:

Rating is based on scores on the Beck Depression Inventory filled out by the patient.



ER 0614

Reno V.A.M.C. Supplemental Assessment of Functioning Scale

Version DEP.01.01

st Modified: 3/4/98

Continuation of Medical Record Service Treatment Plan 10-0043a

Dennis, Terry #8825

Men. Health Recs.

T. Dennis 360

534-44-8825 101446



Washoe County Public Defender
Michael R. Speechio - Public Defender

One So. Sierra Street • Reno, NV 89501

LAWRENCE CARLSON
Investigator

CELL: 771-5991
(702) 328-3878

FAX (702) 325-6767

lcarlson@mail.co.washoe.nv.us

ER 0615

AL

2

CONSENT FOR THE RELEASE OF CONFIDENTIAL INFORMATION

I, TERRY J. DENNIS (NAME OF PATIENT) (10-14-44) (D.O.B.) , do hereby authorize

WEST HILLS HOSPITAL (NAME OF HOSPITAL OR PROGRAM) to release the following specific

information from my psychiatric and/or alcohol or substance abuse medical record (include dates and time period to be covered): JULY '98 — SEPT. '98

This information may be released to: WASHOE COUNTY PUBLIC DEFENDER'S OFFICE (ADDRESS)

for the purpose of: CRIMINAL DEFENSE

I, the undersigned, understand that I may revoke this consent at any time except to the extent that action has been taken in reliance on it, and that in any event, this consent shall expire 90 days after the date of signature unless another date, event, or condition is hereafter specified:

(DATE OR CONDITION OF EXPIRATION OF CONSENT)

I hereby state that I am giving this consent voluntarily, and I understand that the quality of services provided is not contingent upon releasing this information.

Date: 3-30-99

Terry J. Dennis
(SIGNATURE OF PATIENT)

(SIGNATURE OF PARENT, GUARDIAN, OR AUTHORIZED REPRESENTATIVE)

TO THE PARTY RECEIVING THIS INFORMATION: This information has been disclosed to you from records whose confidentiality is protected by Federal law. Federal regulations (42 CFR part 2) prohibit you from making any further disclosure of it without the specific written consent of the person to whom it pertains, as otherwise permitted by such regulations. A general authorization for the release of medical or other information is NOT sufficient for this purpose.

Men. Health Recs.
T. Dennis 361

BHC Health Services of Nevada Inc
☐ West Hills Hospital ☐ Willow Springs Center

PATIENT NAME: DENNIS, TERRY
MEDICAL RECORD #: 14209
ADMITTED: AUGUST 12, 1998
DISCHARGED: AUGUST 28, 1998
LOCATION: WEST HILLS HOSPITAL

ADMITTING DIAGNOSIS:

AXIS I: ~~POST-TRAUMATIC STRESS DISORDER.~~
MAJOR DEPRESSION, RECURRENT, NONPSYCHOTIC.
~~ALCOHOLISM.~~
AXIS II: MIXED PERSONALITY TRAITS.
AXIS III: NO MEDICAL PROBLEMS.
AXIS IV: PSYCHOSOCIAL STRESSORS: NUMBER FOUR.
AXIS V: CURRENT GAF: ~~24~~
HIGHEST IN PAST YEAR: ~~44~~

DISCHARGE DIAGNOSIS:

AXIS I: POST-TRAUMATIC STRESS DISORDER.
MAJOR DEPRESSION, RECURRENT, NONPSYCHOTIC.
ALCOHOLISM.
AXIS II: MIXED PERSONALITY TRAITS.
AXIS III: NO MEDICAL PROBLEMS.
AXIS IV: PSYCHOSOCIAL STRESSORS: NUMBER FOUR.
AXIS V: CURRENT GAF: 34.

REASON FOR ADMISSION: The patient was admitted because he was depressed, ~~suicidal~~ and abusing alcohol.

PHYSICAL EXAMINATION ON ADMISSION: The patient did not have a repeat physical examination.

LABORATORY AND X-RAY FINDINGS: The patient's urine drug screen was negative. Repeat urine drug screen was negative. Urinalysis was within normal limits. Chemistry panel showed a high uric acid of 8.4; a high GGTP of 168; a high SGOT of 65.

HOSPITAL COURSE: The patient was admitted to the Acute Unit on August 13, 1998. The patient was started on a moderate alcohol detox protocol. He was also started on the following medications: BuSpar 15 mg p.o. t.i.d.; Vistaril 50 mg p.o. b.i.d.; Prozac 20 mg q.a.m.; Ambien 10 mg p.o. h.s. p.r.n. insomnia. On August 15, 1998, dual diagnosis track was ordered. On August 18, 1998, increase Prozac to 30 mg q.a.m., decrease BuSpar to 10 mg b.i.d. On August 19, 1998, the patient may attend Ropes. On August 20, 1998, discontinue BuSpar. Dr. Tanenbaum to cover for the next week. Three days of

PATIENT NAME:

DENNIS, TERRY

compassionate medications as follows: Prozac 30 mg p.o. q.d., 10 mg #3 q.d., and 20 mg #3 q.d.; Vistaril 50 mg 1 p.o. b.i.d., #6. On August 24, 1998, BuSpar 15 mg p.o. t.i.d. and add BuSpar to compassionate medications at 15 mg 1 p.o. t.i.d. #9. On August 25, 1998, Vocational Rehab consult. On August 27, 1998, discharge tomorrow. Please try to give the patient a taxi pass for the Veteran's Administration Medical Center for use after discharge.

CONDITION OF PATIENT ON ADMISSION: The patient was abusing alcohol and had ~~quit taking his medications~~, and was ~~acutely suicidal~~. During treatment, the patient was stabilized back on his medications. He was able to participate actively in the treatment program designed for him. On discharge, the patient was improved.

MENTAL STATUS ON DISCHARGE: The patient was not suicidal at the time of discharge.

DISCHARGE INSTRUCTIONS:

1. The patient will continue on same medications.
2. The patient will ~~follow-up~~ with Dr. Phillip Rich on an outpatient basis.
3. The patient may follow a normal diet.
4. No limitations of his physical activities.



PHILLIP RICH, M.D.

PR:lrj
D: 09/09/98
T: 09/09/98
Job #: 9587

ER 0617

Men. Health Recs.
T. Dennis 363

BHC Health Services of Nevada Inc.
☐ West Hills Hospital ☐ Willow Springs Center

PATIENT NAME: DENNIS, TERRY
MEDICAL RECORD #: 14209
DATE OF ADMISSION: 8-12-98
DATE OF ASSESSMENT:
LOCATION: WEST HILLS HOSPITAL

CHIEF COMPLAINT: The patient states he was depressed and suicidal, and abusing alcohol.

HISTORY OF PRESENT ILLNESS: The patient was discharged from West Hills Hospital on July 31, 1998, and he states that he started drinking again after a couple of days out of the hospital, and did not fill his prescription. He started hanging around with a female friend who he was sleeping with and she robbed him of all his money. He got even more depressed and started drinking more heavily. He was having active suicidal thoughts last night. He called someone in Alcoholics Anonymous (AA) who brought him to the hospital. His sleep at this time is erratic. His appetite is poor.

SUICIDE HISTORY: The patient has made twelve suicide attempts in the past. He is actively suicidal at this time.

FAMILY/ENVIRONMENTAL HISTORY: His biological mother died of tuberculosis when he was 1-year-old. His adoptive mother died when he was 11-years-old. He states that he does not know his biological father. His stepfather was very strict, and died when he was 14-years-old. He was raised by his cousin. He states that he has one brother who he does not relate to well. He has four half-sisters.

FAMILY HISTORY OF PSYCHIATRIC PROBLEMS: He states that his biological mother was an alcoholic. His brother drinks heavily.

PAST PSYCHIATRIC TREATMENT: He has been to Nevada Mental Health Institute twice and West Hills Hospital once.

CHILDHOOD HISTORY: He states that his childhood was bad. He was abused physically, sexually and mentally.

EDUCATIONAL HISTORY: He has a High School education.

WORK HISTORY: He has worked as a glass cutter.

MARITAL HISTORY: He has been married three times and divorced three times. He has one child.

PATIENT NAME:

DENNIS, TERRY

MEDICAL HISTORY: He has a history of back injury.

MEDICATIONS: He is currently on Serzone and Buspar.

ALCOHOL HISTORY: He states that he drinks mostly beer and will drink ~~one quart or more of beer per day~~. He has been drinking daily. His last drink was yesterday.

DRUG HISTORY: He used to use drugs, but hasn't used recently.

ARREST HISTORY: He has been arrested for domestic violence, possession of marijuana, driving under the influence (DUI) charge three times, attempted murder, arson, and felon with a firearm.

MENTAL STATUS EXAMINATION: This is a 51-year-old white male who is depressed and detoxing from alcohol. THOUGHT CONTENT AND THOUGHT PROCESSES: His thought content and thought processes are relatively intact. PERCEPTION: He has had ~~auditory hallucinations in the past~~ but has no hallucinations at this time. He has no paranoid thoughts at this time. LONG TERM MEMORY: poor. SHORT TERM MEMORY: good in that he can remember 3 out of 3 objects after five minutes. IMMEDIATE MEMORY: fair in that he could remember a seven digit forward number. Intellectual functioning is good. Abstract thinking is fair. Judgment is evaluated as ~~poor~~.

PATIENT'S ASSETS: He likes to fish, draw, paint and seems to be in good health.

DIAGNOSTIC IMPRESSION:

AXIS I: POST-TRAUMATIC STRESS DISORDER.
MAJOR DEPRESSION, RECURRENT, NONPSYCHOTIC.
ALCOHOLISM.
AXIS II: MIXED PERSONALITY TRAITS.
AXIS III: NO ACUTE MEDICAL PROBLEMS.
AXIS IV: PSYCHOSOCIAL STRESSORS: FOUR.
AXIS V: GLOBAL ASSESSMENT OF FUNCTIONING (GAF): 44.
~~HIGHEST IN PAST YEAR: 44.~~



PHILLIP RICH, M.D.

PR:lrj

D: 08/13/98

T: 08/13/98

Job #: 8180

PSYCHIATRIC ASSESSMENT

Men. Health Recs.
T. Dennis 365

BHC Health Services of Nevada Inc.☐ West Hills Hospital☐ Willow Springs Center

PATIENT NAME: DENNIS, TERRY
MEDICAL RECORD #: 14209
DATE OF ADMISSION: ~~08/12/98~~
DATE OF ASSESSMENT: ~~08/27/98~~
LOCATION: WEST HILLS HOSPITAL

PRESENTING PROBLEM:

This patient was referred for a ~~vocational/rehabilitation~~ assessment. The purpose of this referral was to assess appropriateness of rehabilitation services for Mr. Dennis.

MEDICAL:

Terry Dennis is a 51-year-old, white male, born on October 14, 1946. Mr. Dennis advised that he has been admitted to the hospital on this occasion because of depression and posttraumatic stress disorder, as well as using alcohol and discontinuing the use of his medication. He advised that he was in the hospital ~~last month~~ for a period of about ~~three~~ weeks.

We also discussed any physical limitations that might stop him from performing certain jobs; and he advised that he had a low back injury which limits his ability to lift, as well as Mr. Dennis having a limited ability for bending. He is able to sit for about one hour, stand for about 30 minutes and walk with no difficulty. He advised that he does not drive because he lost his license in the past and has not been able to financially renew it. When questioned how many hours he'd like to work on a daily basis, he advised that he ~~would like to work as many as possible without jeopardizing his Social Security benefits.~~

He is currently taking Prozac, Buspar and Vistaril.

EDUCATION:

Terry was able to complete high school in Seattle. When he was incarcerated, he received training in electronics which was equivalent to the community-college level training, with training in electronics as well as in advanced mathematics. He advised that, when he was in high school, he did not do well from a grade standpoint; he was able to maintain about a C average. However, when he was in college, he maintained an overall grade-point average of ~~3.45~~, with a ~~4.0~~ in math.

Mr. Dennis was in the Air Force from 1965 until 1968 and received electronics training as well as administrative clerk training. He was stationed in Mississippi as well as in Thailand. ~~In 1966~~ he had a ~~suicide attempt~~, which is why he was switched to an administrative clerk position. He did receive an Honorable Discharge.

Men. Health Recs.
T. Dennis 366

INITIAL VOCATIONAL REHABILITATION ASSESSMENT

PATIENT NAME: DENNIS, TERRY

VOCATIONAL HISTORY:

Mr. Dennis' work history is sparse during the last year or so; but prior to that he was able to maintain employment for a period of about 15 years as a glass cutter. The following is an account of his vocational history for the last 16 years:

He was employed by the ~~Flamingo-Hilton~~ as a porter in ~~May of 1998~~ and he worked there for about ~~eight days~~. He was having problems from a physical standpoint, in that his lower back was bothering him when vacuuming, cleaning the windows and emptying the trash. He quit this job.

He worked for ~~Labor Ready~~ on and off, for ~~about a year or so~~, doing part-time work and temporary jobs. It is difficult for him to accept many of the jobs they have available because they are too physical. He explained that, if he turns down employment opportunities, then his name essentially gets put to the bottom of the list. The pay was very low for most of these jobs.

He was living in a rooming house in Reno and was doing some ~~odd jobs~~ for the owner of this rooming house. He classifies himself as being somewhat of a handyman; however, at this time he does not have any tools.

For a period of about ~~15 years~~ in the State of ~~Washington~~ he was employed as a ~~glass cutter~~ for several companies. One of the companies was ~~Weather Master~~; and he was employed with that company for five years. He earned about \$9.75 an hour. He did glass cutting and glazing and would work with window glass as well as doing some installations. He would not be able to return to this type of work because it is beyond his physical limitation. In fact, he was working in this capacity, that is, as a glass cutter, when he injured his low back.

VOCATIONAL INTERESTS:

Mr. Dennis and this counselor discussed first his transferable skills, with Terry explaining he has had some experience with ~~filing~~ and he is definitely ~~mechanically inclined~~. In addition, he has also had some ~~supervisory experience~~, in that he was in low-level management.

In terms of his current interests for employment, he is at this time unsure what type of work he would like to do. However, some

PATIENT NAME: DENNIS, TERRY

of the suggestions that this counselor gave were that of ~~electronics assembly~~ (given the fact that he has had some electronics training in the past), as well as maybe working in a ~~light-warehouse~~ setting. He seemed interested in both of these ideas. He would be most interested in returning to employment on a part-time basis.

SOCIAL:

Terry Dennis is 51 years old and is single. He was born in Everett, Washington. He has one child, a son who is age 22, who lives with his mother in Seattle.

Terry explained to this counselor that he believes that his doctor recommended vocational rehabilitation because he ~~would like to become involved in some type of meaningful activity~~. He has been collecting Social Security disability for about one year and has not had any meaningful employment since that time.

In terms of hobbies, he advised that he used to enjoy fishing, playing guitar, working with wood, building and making things, as well as doing some crossword puzzles. At this time most of his day is spent watching television.

He explained that he will be discharged on August 28, 1998, and will be moving into a boarding house in Sparks. He plans on staying in this area and has been here for about three years.

When discussing his past in relation to drugs or alcohol or incarceration, he advised that he has been incarcerated three times -- in 1970 and 1972 for possession of marijuana, in 1984 to 1986 for second-degree assault and arson, and most recently from ~~July of 1997 until November of 1997~~ for suspicion of battery; however, he did advise that he was not responsible for the most recent offense.

FINANCIAL:

Mr. Dennis has been receiving Social Security disability for about one year because of the chronic depression and posttraumatic stress disorder. He is receiving \$683 a month. His expenses at the boarding house will be \$400, which will include food and utilities. The remaining money he will be using for miscellaneous expenses such as clothing and the bus pass. Mr. Dennis did mention that he does not have any clothes except for those he is wearing on his

Men. Health Recs.
T. Dennis 368

PATIENT NAME: DENNIS, TERRY

back, which is in relation to the incident that occurred in November of 1997 when he was incarcerated, in that he has lost all of his personal possessions.

GROOMING AND APPEARANCE:

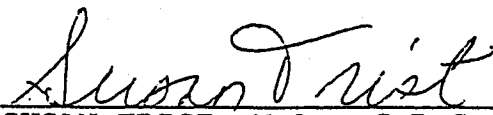
Mr. Dennis was casually but appropriately dressed and groomed for the initial assessment and appeared interested in the vocational rehabilitation process.

APPROPRIATENESS OF REFERRAL:

It appears as though Mr. Terry Dennis was an appropriate referral for vocational rehabilitation, since at this time he is not working and has a desire to return to some type of employment to supplement his Social Security benefits.

ACTION:

At this time this counselor will be following up with job contacts in the area of electronics assembly and/or light warehouse work. In addition, this counselor recommended to Mr. Dennis that he follow up with Unemployment, that is, register with them, so that any suitable jobs that come available he can qualify for and also to pursue the information he had gathered previously from the V.A. in regards to vocational rehabilitation. Finally, I provided him with the telephone number for the Bureau of Vocational Rehabilitation and suggested that, if he is interested in continuing his previous training or to obtain some updated training, he may want to determine whether he qualifies for services through the State.


SUSAN TRIST, M.A., C.R.C., C.D.M.S.

ST/ch

D: 08/28/98

T: 08/29/98

Job #: 8994

ER 0623

Men. Health Recs.
T. Dennis 369

INITIAL VOCATIONAL REHABILITATION ASSESSMENT

WEST HILLS HOSPITAL

INTERDISCIPLINARY TREATMENT PLAN

m Number 2 Page Number One

m Definition Mood Disturbance

stated By / Related to PT identifies feelings of denial, no follow-through w/ treatment, not taking meds, severe depression, poor appetite, erratic sleep

rg Criteria absence of suicidal ideation

ths Utilized in Plan verbal help

ocus support

Family Involvement (Specify) none

Date/initials	Measurable Patient Objectives (Accomplishment Suggests Discharge Readiness)	Target Date	Interventions -- Indicate Frequency and Purpose	Responsible Party and Discipline	Date and Status
1/17	Ra Terry will identify the consequences of his failed through to last discharge and accept personal responsibility verbally by	1/17	• one to one social service contact • department facilitated groups & activities • prompt Terry to evaluate responsibility • prompt pt to eval. commitment to change • assist pt in developing coping strategies that are positive & encourage him to practice those skills	Allen MSW Counselor Perout-Duff MSW Lavery LSW	2-2-3 2-2-3
1/17	Terry will evaluate his motivation & commitment to AOK Group and discuss in groups by	1/17			2-3-3
1/17	Terry will demonstrate coping skills when feelings arise by	1/17			2-3-3

Status - - 1 = Resolved 2 = Progressing 3 = Unchanged 4 = Regressed 5 = New Objective 6 = Deferred

Signature and Discipline	Initials	Signature and Discipline	Initials	Signature and Discipline

Men. Health Recs. T. Dennis 370

Date Reviewed

Signature

Form Number 2 Page Number 2

Form Number 2 Page Number 2

Men. Health Recs.
T. Dennis 371

status - 1 = Resolved 2 = Progressing 3 = Unchanged 4 = Regressed 5 = New Objective 6 = Deferred

Signature and Discipline	Initials	Signature and Discipline	Initials	Signature and Discipline	Initials
<i>A. K. Chandra</i>					

BHC Health Services of Nevada Inc
☒ West Hills Hospital ☐ Willow Springs Center

PATIENT NAME: DENNIS, TERRY
MEDICAL RECORD #: 14209
DATE OF ADMISSION: ~~JULY 7, 1998~~
DATE OF ASSESSMENT: ~~JULY 8, 1998~~
LOCATION: WEST HILLS HOSPITAL

N.B.: This is a redictation of a Physical originally dictated on July 8, 1998, with the number of #5776. It apparently lost somewhere in the system. This dictation is taken from the original notes and accuracy is judged as excellent.

CHIEF COMPLAINT: This 52-year-old white male comes in for evaluation of depression, paranoia and alcohol dependence.

HISTORY OF PRESENT ILLNESS: Terry has been seeing Dr. ~~Altinsan~~ and has been on Serzone and Buspar. He has had multiple 30-day hospitalizations and has been seen at Nevada Mental Health Institute in the past, and lately, he has been seeing Dr. Altinsan. He complains of ~~insomnia and anger~~ and notes that things have been bad for ~~several months~~. He is not sure if his medications are helping, and says that he only just restarted them, having been off of them for about a year. He had taken them for 2-3 weeks.

Physically, he is pretty healthy. He has not seen a physician lately. He does have a ~~history of Hepatitis G~~ and said he knows this because the plasma places won't take his blood anymore. He also has a history of ~~elevated liver enzymes~~ and still drinks an average of ~~six beers daily~~.

PAST HOSPITALIZATIONS/TREATMENT: Multiple psychiatric hospitalizations over the last thirty years. Alcohol hospitalization in 1979 for 30 days. Tonsillectomy, adenoidectomy. Atrial fibrillation.

MEDICATIONS: Buspar and Serzone.

ALLERGIES: NO KNOWN ALLERGIES TO MEDICATIONS.

HABITS: He smokes a pack of cigarettes a day, averages a six-pack a day. He said that he used to use drugs. Drinks 4-5 cups of coffee in the morning.

FAMILY HISTORY: Tuberculosis in his mother. He has been tested and was negative. He doesn't know much about his birth family. Alcoholism in his mother. No family history of allergies, asthma, diabetes, cancer, hypertension, myocardial infarction, cerebrovascular accident, or psychiatric problems.

PATIENT NAME:

DENNIS, TERRY

REVIEW OF SYSTEMS:

HEAD: Denies headache or head-trauma.
EYES: Wears glasses with good correction.
EARS: No problems with his hearing.
NOSE: Sinus drainage in the mornings.
THROAT: No problems with throat. He has bad teeth.
HEART: Denies problems.
LUNGS: No problems with asthma or breathing.
GI: Diarrhea for two days.
GU: Denies problems.
SEXUAL: Denies problems.
MUSCULOSKELETAL: He has had some back pain.

SOCIAL HISTORY: The patient has been on SSI Disability for psychiatric problems for at least the last two years. He has been married and divorced times three. He is currently in no relationship. Hobbies include watching television. He was living with a roommate and is originally from Seattle.

PHYSICAL EXAMINATION: GENERAL: A well-developed, well-nourished white male in no acute distress. VITAL SIGNS: Temperature 99, pulse 90, respiration 12, blood pressure 132/80, ~~274~~ pounds.

HEAD: Normocephalic, atraumatic.
EYES: PERRLA. EOMs intact. Fundi benign.
EARS: TMs pearly gray bilaterally.
NOSE: Nares patent bilaterally.
THROAT: No inflammation.
NECK: Supple. No thyromegaly.
NODES: No supraclavicular, cervical, axillary, or inguinal adenopathy present.
CHEST: Lungs are clear to auscultation and percussion.
HEART: Regular rhythm. No murmurs or extra sounds.
ABDOMEN: Nontender. No masses. No organomegaly.
GU: Normal male. No hernias.
SKIN: Normal.
NEUROLOGIC: Cranial nerves II-XII tested intact. Motor and sensory intact over the face and extremities. Deep tendon reflexes are equal and symmetric bilaterally. Finger-to-nose, heel-to-shin, and Romberg are done satisfactorily.

IMPRESSION:

1. Per attending.
2. Alcohol dependence.

ER 0627

Men. Health Recs.
T. Dennis 372

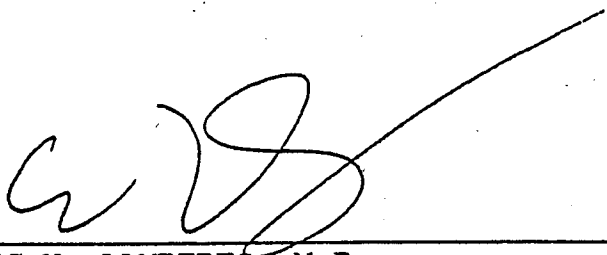
PATIENT NAME:

DENNIS, TERRY

3. ~~Hepatic dysfunction totally secondary to alcohol dependence~~
4. Nicotine dependence.
5. Poor dentition.
6. Chronic back pain.

RECOMMENDATIONS: I have no recommendations in his care.

Thank you very much for having me see him.



ERIC W. LAMBERTS, M.D.
Fellow, American Academy of Family
Practice
Certified, American Society of
Addiction Medicine

EWL:lrj

D: 09/03/98

T: 09/03/98

Job #: 9266

ER 0628

Men. Health Recs.
T. Dennis 373

PATIENT NAME: DENNIS, TERRY
MEDICAL RECORD #: 01-42-09
ADMITTED:
LOCATION: WEST HILLS HOSPITAL

CHIEF COMPLAINT: The patient states he is depressed, suicidal, and abusing alcohol, and his doctor wanted him to be admitted.

HISTORY OF PRESENT ILLNESS: The patient states he has problems with anger and gets violent. He states he was taking antidepressants and tranquilizers. He was seeing Dr. Altinsan for depression. He states his depression started in January of this year. He states that he went to jail for 3-1/2 months for domestic violence. He states he did try to kill her on one occasion. He was also picked up for an open container downtown. His sleep at this time is poor. His appetite is also poor.

SUICIDE HISTORY: He has made twelve suicide attempts. He states he was suicidal today, but does not have a plan.

FAMILY AND ENVIRONMENTAL HISTORY: His biological mother died of tuberculosis when he was one years old. His adoptive mother died when he was eleven years old. He states that he does not know his biological father. His stepfather was very strict, and died when the patient was 14-years-old. He was raised by his cousins. He states he has one brother who he does not relate to well. He has one half sister.

FAMILY HISTORY: He states his biological mother was an alcoholic. His brother drinks heavily.

PAST PSYCHIATRIC TREATMENT: He has been to Nevada Mental Health Institute twice.

CHILDHOOD HISTORY: He states his childhood was fair. He states he lived in the country. He was abused physically and sexually.

EDUCATIONAL HISTORY: He has a High School education.

WORK HISTORY: He has worked as a glass cutter.

MARITAL HISTORY: He has been married three times and divorced three times. He has one son.

MEDICAL HISTORY: He has a back injury.

MEDICATIONS: He is on Serzone and Buspar.

ER 0629

PSYCHIATRIC ASSESSMENT

PATIENT NAME:

DENNIS, TERRY

ALCOHOL HISTORY: He states he drinks beer and he will drink one quart or one six pack per day. He drinks 3-4 days per week. His last drink was yesterday.

DRUG HISTORY: He used to use drugs, but hasn't used for many years.

ARREST HISTORY: He has been arrested for domestic violence, possession of marijuana, Driving Under the Influence (DUI) times three, assault, attempted murder, arson, and felon with a firearm.

MENTAL STATUS EXAMINATION: This is a 51-year-old white male who is depressed and detoxing from alcohol. Thought content and thought processes are relatively intact. He has had auditory hallucinations in the past. He has also had paranoid thoughts. His long-term memory is poor. His short term memory is good in that he can remember three out of three objects in five minutes. His immediate memory is fair in that he can remember a seven digit forward number. Intellectual functioning is good. Abstract thinking is fair. Judgment is fair.

ASSETS: He likes to fish, draw and paint.

DIAGNOSTIC IMPRESSION:

AXIS I: POST-TRAUMATIC STRESS DISORDER.
MAJOR DEPRESSION, SINGLE EPISODE, NONPSYCHOTIC.
ALCOHOLISM.
AXIS II: MIXED PERSONALITY TRAITS.
AXIS III: NO ACUTE MEDICAL PROBLEMS.
AXIS IV: NUMBER FOUR.
AXIS V: CURRENT GAF: 23.
HIGHEST IN THE PAST YEAR: 44.

PHILLIP RICH, M.D.

PR:lrj

D: 07/07/98

T: 07/07/98

Job #: 5739

PSYCHIATRIC ASSESSMENT

2

ER 0630

Men. Health Recs.
T. Dennis 375

WEST HILL HOSPITAL

Page Number 2

ER 0631

[illegible]

Status - 1 = Resolved 2 = Progressing 3 = Unchanged 4 = Regressed 5 = New Objective 6 = Deferred

Signature and Discipline

Initials

Signature and Discipline

Initials

Signature and Discipline

Initials

Signature and Discipline

WEST HILL HOSPITAL

INTERDISCIPLINARY TREATMENT PLAN

Form Number 2 Page Number One

Problem Definition Impulsiveness

Manifested By / Related to pt report quick to anger, must. past arrests + incarcerations,

Charge Criteria 1st set control

Lengths Utilized in Plan intelligent, recognizes quick to anger

Focus Safety + self control

Family Involvement (Specify)

Date/ Initials	Measurable Patient Objectives (Accomplishment Suggests Discharge Readiness)	Target Date	Interventions -- Indicate Frequency and Purpose	Responsible Party and Discipline	Date and St.
7/18 Ra	Terry will identify triggers to self identified "quick to anger" by		• one bone social service • contacts	Allen, MSW Leswin	7/17/12
7/18 Ra	Terry will evaluate how alcohol use and meds affect impulsivity by	7/12	• dept groups & activities • prompt pt to evaluate how alc. + meds	• lowery casw	3 2 2 3
7/18 Ra	Terry will identify new coping strategies to deal with anger to & acting impulsivity by	7/12	• object symptoms • assist pt in identifying how to deal with anger and tracking on anger impulses		3 2 2 3

Status - 1 = Resolved 2 = Progressing 3 = Unchanged 4 = Regressed 5 = New Objective 6 = Deferred

Signature and Discipline	Initials	Signature and Discipline	Initials	Signature and Discipline	Initials

Signature

Date Reviewed

Men. Health Recs.
T. Dennis 377

ER 0632

WEST HILLS HOSPITAL INTERDISCIPLINARY TREATMENT PLAN

 Problem Number 1 Page Number One

 Problem Definition Ineffective Individual Coping R/T Impulse Control Disorder
 Manifested By/Related To

 Discharge Criteria Attending of M. R. R.

Strengths Utilized in Plan

 Initial Focus Self

 Family Involvement (Specify) None

Obj.	Date/ Initials	Measurable Patient Objectives (Accomplishment Suggests Discharge Readiness)	Target Date	Interventions -- Indicate Frequency & Purpose	Responsible Party and Discipline	Date & Status	Date & Status	Date & Status
A	7-7	Pt. will be able to accept limits without acting out physically or verbally by...	7-12	Staff will set clear and consistent limits, educate pt. about gradient and reinforce non-destructive behavior.	<u>Blawie RN</u> <u>T. Burns RN</u> <u>K. Schaeffer</u>	7-7 7-7 7-7	7-7 7-7 7-7	
B	7-7	Pt. will be able to utilize stop and think theory of Imp. Control Disorder by...	7-12	Staff will educate pt. about using stop and think, and promptly reinforce proper use of stop and think.	<u>Blawie RN</u>	7-7		
C	7-7	Pt. will be able to accept consequences and responsibility for acting out, impulsive behavior	7-12	Staff will educate about action/reaction, push for self-acceptance of responsibility, reinforce ownership of actions.	<u>Blawie RN</u>	7-7		

* Status -- 1 = Resolved 2 = Progressing 3 = Unchanged 4 = Regressed 5 = New Objective 6 = Deferred

Initials	Signature & Discipline	Initials	Signature & Discipline	Initials	Signature & Discipline
<u>Blawie RN</u>	<u>Blawie RN</u>				

 Patient Signature Blawie RN

 Date Reviewed 7-7-98

 Men. Health Recs.
T. Dennis 378

WEST HILL HOSPITAL INTERDISCIPLINARY TREATMENT PLAN

Problem Number 2 Page Number One

Problem Definition Chemically Dependent Lifestyle

Manifested By/Related To Relapse, inability to quit on own, continued use despite negative consequences, increased tolerance and amounts.

Discharge Criteria Commitment to sober lifestyle with health discharge plan, completion of relapse prevention plan
Strengths Utilized in Plan

Initial Focus Participation in groups and own recovery

Family Involvement (Specify)

Obj.	Date/ Initials	Measurable Patient Objectives (Accomplishment Suggests Discharge Readiness)	Target Date	Interventions -- Indicate Frequency & Purpose	Responsible Party and Discipline	Date & Status	Date & Status	Date & Status	Date & Status
A	7-7	Pt. to identify negative consequences of addiction in 3-5 areas of life.	7-12	1) Assist pt with any denial & identification of consequences of addiction. 2) Offer education of disease of addiction. 3) Educate on effects of alcohol, other substances on body, mind, and spirit.	<i>R. Hawkins</i> <i>M. Burrows</i> <i>K. Anderson</i> <i>J. Roberts</i>	7-7 7-7 7-7 7-7	7-7 7-7 7-7 7-7	7-7 7-7 7-7 7-7	7-7 7-7 7-7 7-7
B	7-7	Client will verbalize an acceptance of the need for a lifelong, day by day, recovery plan before discharge	7-12	1) Educate of purpose of support groups and ongoing support to prevent relapse. 2) Assist in identifying support groups pt willing to participate in and assist to set up f/u. 3) Educate on disease concept and relapse as an identifiable part of addiction. Assist with developed relapse prevention plan.		7-7 7-7 7-7	7-7 7-7 7-7	7-7 7-7 7-7	7-7 7-7 7-7

Men. Health Recs.
T. Dennis 379

ER 0634

1 FRANNY A. FORSMAN
Federal Public Defender
2 Nevada Bar No. 00014
MICHAEL PESSETTA
3 Assistant Federal Public Defender
Nevada Bar No. 02437
4 REBECCA A. BLASKEY
Assistant Federal Public Defender
5 Nevada Bar No. 4065
330 South Third Street, #700
6 Las Vegas, Nevada 89101
Telephone (702) 388-6577
7 Facsimile (702) 388-5819

8 Attorneys for Petitioner/Next Friend

FILED RECEIVED
ENTERED SERVED ON
COUNSEL/PARTIES OF RECORD

2004 JUN 14 P 4:08

CLERK US DISTRICT COURT
DISTRICT OF NEVADA

BY _____ DEPUTY

9
10 UNITED STATES DISTRICT COURT
11 DISTRICT OF NEVADA

12 TERRY JESS DENNIS, by and through)
KARLA BUTKO, as Next Friend,)

13 Petitioner,)
14)
15 vs.)
16)

16 MICHAEL BUDGE, Warden, and)
BRIAN SANDOVAL, Attorney General)
of the State of Nevada,)

17 Respondents.)
18)

Case No.

CV-S-04-0798-PMP-RJJ

(Death Penalty Habeas Corpus Case)

19 VOLUME TWO OF THREE

20 LIST OF PETITIONER'S EXHIBITS

21 Volume One

- 22 Ex. 1 Medical Records from West Hills Hospital, BHC Health Services of Nevada, Inc.
23 July - September 1998
- 24 Ex. 2 Affidavit of Compliance with SCR250, as amended, Affidavit of Maizie W.
25 Pusich. July, 20, 1999
- 26 Ex. 3 Military Records of Terry Dennis, Department of the Air Force, 1965-1971
- 27 Ex. 4 Uncertified Transcript of Statement of Terry Dennis, Reno Police Department,
March 9, 1999, Case No. 64128-99
- 28 Ex. 5 In the Matter of the Examination of Terry Dennis, Petition for Court Order
Involuntary Admission, Case No. CV-95-05598, and Supporting Medical and
Psychological Materials, 1995-1998 (Bates Nos. 1-380)

Volume Two

- 1
- 2 Ex. 6 Information, State v. Terry Jess Dennis, Case No. CR99-0611, Second Judicial
District Court, Washoe County, March 29, 1999
- 3
- 4 Ex. 7 Notice of Intent to Seek Death Penalty Pursuant to NRS 200.033,
NRS 175.552, and SCR 250(4)(c), State v. Terry Jess Dennis, Case No. CR99-
0611, Second Judicial District Court, Washoe County, April 14, 1999
- 5
- 6 Ex. 8 Guilty Plea Memorandum, State v. Terry Jess Dennis, Case No. CR99-0611,
Second Judicial District Court, Washoe County, April 16, 1999
- 7
- 8 Ex. 9 Arraignment, Transcript of Proceedings, State v. Terry Jess Dennis, Case No.
CR99-0611, Second Judicial District Court, Washoe County, April 16, 1999
- 9
- 10 Ex. 10 Washoe County Detention Center EMSA/Correctional Care records on Terry
Dennis, March 1999
- 11
- 12 Ex. 11 Faxed correspondence from Honorable Janet Berry to Medical Records, Washoe
County Jail requesting records on Terry Dennis, April 15, 1999
- 13
- 14 Ex. 12 Letter psychiatric evaluation from Edward Lynn, M.D. to Maize Pusich, March
24, 1999
- 15
- 16 Ex. 13 Information, State of Washington v. Terry Jess Dennis, Case No. 79-1-00047-1,
February 2, 1979
- 17
- 18 Ex. 14 Amended Information, State of Washington v. Terry Jess Dennis, Case No. 79-1-
00047-1, February 22, 1979
- 19
- 20 Ex. 15 Amended Information, State of Washington v. Terry Jess Dennis, Case No. 84-1-
00006-1, February 1, 1984
- 21
- 22 Ex. 16 Washoe County Medical Examiner records re Ilona Anita Straumanis, March
1999
- 23
- 24 Ex. 17 Notice of Evidence in Aggravation, State v. Terry Jess Dennis, Case No. CR99-
0611, Second Judicial District Court, Washoe County, June 8, 1999
- 25
- 26 Ex. 18 Defendant's Memorandum Re: Sentencing, State v. Terry Jess Dennis, Case No.
CR99-0611, Second Judicial District Court, Washoe County, July 20, 1999
- 27
- 28 Ex. 19 Transcript of Proceedings Penalty Hearing on July 19, 1999, Volume 1 (pp. 1-90),
State v. Terry Jess Dennis, Case No. CR99-0611, Second Judicial District Court,
Washoe County, July 20, 1999
- Ex. 20 Transcript of Proceedings Penalty Hearing on July 19, 1999, Volume 2 (pp. 91-
202), State v. Terry Jess Dennis, Case No. CR99-0611, Second Judicial District
Court, Washoe County, July 20, 1999
- Ex. 21 Transcript of Proceedings Penalty Hearing on July 20, 1999, Volume 1 (pp. 1-64),
State v. Terry Jess Dennis, Case No. CR99-0611, Second Judicial District Court,
Washoe County, July 21, 1999
- Ex. 22 Transcript of Proceedings Penalty Hearing on July 20, 1999, Volume 2 (pp. 65-

1 116), State v. Terry Jess Dennis, Case No. CR99-0611, Second Judicial District
2 Court, Washoe County, July 21, 1999

3 Ex. 23 Findings of Fact and Conclusions of Law, State v. Terry Jess Dennis, Case No.
4 CR99-0611, Second Judicial District Court, Washoe County, July 20, 1999

5 Volume Three

6 Ex. 24 Death Penalty Verdict, State v. Terry Jess Dennis, Case No. CR99-0611, Second
7 Judicial District Court, Washoe County, July 20, 1999

8 Ex. 25 Judgment of Conviction, State v. Terry Jess Dennis, Case No. CR99-0611,
9 Second Judicial District Court, Washoe County, July 20, 1999

10 Ex. 26 Petition for Writ of Habeas Corpus (Post-Conviction), Terry Dennis v. Don
11 Helling et al., Case No. CR99-0611, April 9, 2001

12 Ex. 27 Points and Authorities in Support of Petition for Writ of Habeas
13 Corpus (Post-Conviction), Terry Dennis v. E.K. McDaniel et al., Case No. CR99-
14 P-0611, February 14, 2002

15 Ex. 28 Motion to Dismiss Petition for Writ of Habeas Corpus (Post-Conviction), Terry
16 Jess Dennis v. State of Nevada, Case No. CR CR99-P-0611, March 1, 2002

17 Ex. 29 Order (instructing the State to file an Answer), Terry Jess Dennis v. State of
18 Nevada, Case No. CR99-P-0611, March 1, 2002

19 Ex. 30 Opposition to State's Motion to Dismiss Petition for Writ of Habeas
20 Corpus (Post-Conviction), Terry Dennis v. E.K. McDaniel et al., Case No. CR99-
21 P-0611, May 1, 2002

22 Ex. 31 Reply to Petitioner's Opposition to Motion to Dismiss Petition for Writ of Habeas
23 Corpus (Post-Conviction), Terry Dennis v. E.K. McDaniel et al., Case No. CR99-
24 P-0611, May 29, 2002

25 Ex. 32 Notice of United States Supreme Court Decision on Case Cited in Supplemental
26 Petition for Writ of Habeas Corpus (Post-Conviction), Terry Dennis v. E.K.
27 McDaniel et al., Case No. CR99-P-0611, July 26, 2002

28 Ex. 33 Order (requesting parties to file supplemental briefing re Ring v. Arizona), Terry
Jess Dennis v. State of Nevada, Case No. CR99-P-0611, August 20, 2002

Ex. 34 Respondent's Supplemental Brief (regarding Ring v. Arizona), Terry Jess Dennis
v. State of Nevada, Case No. CR99-P-0611, September 6, 2002

Ex. 35 Petitioner's Supplemental Brief re: Application of Ring v. Arizona, Terry Jess
Dennis v. State of Nevada, Case No. CR99-P-0611, September 26, 2002

Ex. 36 Order (setting evidentiary hearing), Terry Jess Dennis v. State of Nevada, Case
No. CR99-P-0611, November 20, 2002

Ex. 37 Motion to Reconsider Motion to Dismiss Petition for Writ of
Habeas Corpus (Post-Conviction), Terry Jess Dennis v. State of Nevada, Case No.
CR99-P-0611, December 23, 2002

- 1 Ex. 38 Opposition to Motion to Reconsider Motion to Dismiss Petition for Writ of
2 Habeas Corpus (Post-Conviction), Terry Dennis v. E.K. McDaniel et al., Case No.
CR99-P-0611, January 9, 2003
- 3 Ex. 39 Reply to Petitioner's Opposition to Motion to Reconsider Motion to Dismiss
4 Petition for Writ of Habeas Corpus (Post-Conviction), Terry Jess Dennis v. State
of Nevada, Case No. CR99-P-0611, January 13, 2003
- 5 Ex. 40 Notice of Entry of Order and Order, Terry Jess Dennis v. State of Nevada, Case
6 No. CR99-P-0611, June 4, 2003
- 7 Ex. 41 Notice of Appeal, Terry Jess Dennis v. State of Nevada, Case No. CR99-P-0611,
8 June 25, 2003
- 9 Ex. 42 Handwritten correspondence from Terry Dennis to "Your Honor," September 9,
2003
- 10 Ex. 43 Appellant's Opening Brief, Dennis v. State, Nevada Supreme Court
No. 41664, filed September 16, 2003
- 11 Ex. 44 Correspondence from Joseph R. Plater, Appellate Deputy Washoe County District
12 Attorney, to Karla K. Butko re: dismissing the appeal, September 22, 2003
- 13 Ex. 45 Correspondence from Karla K. Butko to Joseph R. Plater, Appellate Deputy
14 Washoe County District Attorney, re: defendant's post-conviction appeal
proceedings, September 24, 2003
- 15 Ex. 46 Motion for Remand and to Suspend Briefing Schedule, Dennis v. State,
Nevada Supreme Court No. 41664, September 26, 2003
- 16 Ex. 47 Handwritten correspondence from Terry Dennis to Mr. Gammick, September 17,
2003
- 17 Ex. 48 Order Granting Motion, Dennis v. State, Nevada Supreme Court No. 41664,
18 October 22, 2003
- 19 Ex. 49 Order, Dennis v. State, Second Judicial District Court No. CR99-P-0611,
20 November 19, 2003
- 21 Ex. 50 Court Ordered Evaluation by Thomas E. Bittker, M.D., November 24, 2003
- 22 Ex. 51 Transcript of Proceedings of Post-Conviction Hearing, Dennis v. State, Second
Judicial District Court No. CR99P-0611, December 4, 2003
- 23 Ex. 52 Order, Dennis v. State, Second Judicial District Court No. CR99-P-0611,
24 December 22, 2003
- 25 Ex. 53 Order Directing Confirmation of Voluntary Waiver of Appeal, Dennis v. State,
Nevada Supreme Court No. 41664, January 13, 2004
- 26 Ex. 54 Brief of Federal Public Defender as Amicus Curiae in Support of Appellant, Terry
Jess Dennis v. State of Nevada, Case No. 41664, January 26, 2004
- 27 Ex. 55 Opposition to Motion for Leave to Appear Amicus Curiae, Terry Jess Dennis v.
28 State of Nevada, Case No. 41664, February 6, 2004

1	Ex. 56	Order Dismissing Appeal, <u>Terry Jess Dennis v. State of Nevada</u> , Case No. 41664, March 12, 2004
2		
3	Ex. 57	Warrant of Execution, <u>State of Nevada v. Terry Jess Dennis</u> , Case No. CR99-0611, May 17, 2004
4	Ex. 58	Opinion (affirming conviction on direct appeal), Nevada Supreme Court, <u>Terry Jess Dennis v. State of Nevada</u> , Case No. 34632, December 4, 2000
5		
6	Ex. 59	Notice of Withdrawal of Appeal, Nevada Supreme Court, <u>Terry Jess Dennis v. State of Nevada</u> , Case No. 41664, February 2, 2004
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CERTIFICATE OF MAILING

In accordance with Rule 5(b) of the Federal Rules of Civil Procedure, the undersigned hereby certifies that on this 14th day of June, 2004, she deposited for mailing in the United States mail, first-class postage prepaid, a true and correct copy of the foregoing **VOLUME TWO – LIST OF PETITIONER’S EXHIBITS** addressed to the parties as follows:

Brian Sandoval
Nevada Attorney General
Office of the Attorney General
100 North Carson Street
Carson City, Nevada 89701-4717

Richard A. Gammick
Washoe County District Attorney
Post Office Box 30083
Reno, Nevada 89520

Mr. Terry Dennis, #62144
Nevada State Prison
Post Office Box 607
Carson City, Nevada 89702

Scott W. Edwards
Attorney at Law
1030 Holcomb Avenue
Reno, Nevada 89502

Donna Jack
An employee of the Federal Public Defender

DA #176802

RPD 064128-99

'99 MAR 29 A8:08

Case No. CR99-0611

AMY HARVEY, CLERK

Dept. No. 1

BY

DEPUTY

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF WASHOE

* * *

THE STATE OF NEVADA,

Plaintiff,

v.

INFORMATION

TERRY JESS DENNIS,

Defendant.

RICHARD A. GAMMICK, District Attorney within and for
the County of Washoe, State of Nevada, in the name and by the
authority of the State of Nevada, informs the above entitled
Court that TERRY JESS DENNIS, the defendant above named, has
committed the crime of:

FIRST DEGREE MURDER WITH THE USE OF A DEADLY WEAPON, a
violation of NRS 193.165, NRS 200.010 and NRS 200.030, a felony,
in the manner following:

That the said defendant on the 6thth day of March A.D.
1999, or thereabout, and before the filing of this Information,
at and within the County of Washoe, State of Nevada, did
willfully, unlawfully, and with malice aforethought,

Vol. I

1 deliberation, and premeditation, kill and murder ILONA
2 STRAUMANIS, a human being, and further did use a deadly weapon in
3 the commission of the crime, to wit, said defendant strangled the
4 victim and used a belt in the commission of the offense, thereby
5 inflicting mortal injuries upon the said ILONA STRAUMANIS from
6 which she died on or about March 6, ^{or 7th} 1999. *g*

7
8 All of which is contrary to the form of the Statute in
9 such case made and provided, and against the peace and dignity of
10 the State of Nevada.

11 RICHARD A. GAMMICK
12 District Attorney
13 Washoe County, Nevada

14 By: *Daniel J. Greco*

15 DANIEL J. GRECO
16 Deputy District Attorney
17
18
19
20
21
22
23
24
25
26

1 The following are the names and addresses of such
2 witnesses as are known to me at the time of the filing of the
3 within Information:
4

5 WASHOE COUNTY VITAL STATISTICS, Death Certificate

6 RENO POLICE DEPARTMENT

7 OFFICER FRANK JOHNSON
8 OFFICER CHARLIE SMITH
9 OFFICER DAVID KAZUMCHAK
10 DETECTIVE JIM BURKE
11 DETECTIVE MOHAMMAD RAFAQAT
12 DETECTIVE ROBERT BENNETT
13 DETECTIVE JOE DEPCZYNSKI

14 WASHOE COUNTY SHERIFF'S OFFICE

15 DEPUTY WILLIE STEVENSON
16 DEPUTY TONI LEAL
17 DEPUTY DAVID BILLAU

18 WASHOE COUNTY CRIME LAB

19 MARIA FASSETT

20 WASHOE COUNTY CORONER'S OFFICE

21 STEVE WOODS
22 DR. KATHY RAVEN
23 MIKE DUNCAN

24 RICHARD MARSH, 490 Lake Street, #211, Reno, Nevada

25 DARREN CASTELLANO, 8098 Anchor Point Drive, Reno, Nevada

26 LINDA RADEY, 1621 The Strand, Reno, Nevada

ROBERT JOHNSON, 829 North Virginia Street, Reno, Nevada

DAN EDMINSTER, 7830 North Virginia Street #52, Reno, Nevada

RICHARD A. GAMMICK
District Attorney
Washoe County, Nevada

By 
DANIEL J. GRECO
Deputy District Attorney

PCN 89792605
03254128

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AM [Signature] TTY CLE
BY [Signature]
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1 Case No. CR99-0611
2 Dept. No. 1
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6 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,
7 IN AND FOR THE COUNTY OF WASHOE.
8

* * *

9 THE STATE OF NEVADA,

10 Plaintiff,

11 v.

12 TERRY JESS DENNIS,

13 Defendant.
14 _____/

NOTICE OF INTENT TO
SEEK DEATH PENALTY
PURSUANT TO NRS 200.033,
NRS 175.552, AND
SCR 250(4)(c)

15 COMES NOW, the State of Nevada, by and through RICHARD
16 A. GAMMICK, District Attorney of Washoe County, and DANIEL J.
17 GRECO, Deputy District Attorney, and gives the following notice
18 to counsel and the Defendant, Terry Jess Dennis.

19 YOU ARE HEREBY NOTIFIED that the State of Nevada, by
20 and through the Office of the Washoe County District Attorney,
21 intends to seek the imposition of the death penalty against the
22 Defendant upon his conviction for Murder of the First Degree.
23 Kirksey v. State, 107 Nev. 499, 814 P.2d 1008 (1991).

24 YOU ARE HEREBY FURTHER NOTIFIED that the State intends
25 to produce and present evidence concerning aggravating
26 circumstances relative to the murders, victims, Defendant and on

1 other matters relevant to conviction and sentence to allow a
2 jury, or a panel of three judges, to set the penalty upon
3 conviction for Murder of the First Degree at death. NRS 200.030,
4 NRS 200.033, NRS 175.552, NRS 175.556, Payne v. Tennessee, 501
5 U.S. 808 (1991); Redmen v. State, 108 Nev. 227, 828 P.2d 395
6 (1992); Homick v. State, 108 Nev. 112, 825 P.2d 593 (1992);
7 Dawson v. State, 108 Nev. 112, 825 P.2d 593 (1992); Kazalyn v.
8 State, 108 Nev. 67, 825 P.2d 578 (1992); Jones v. State, 107 Nev.
9 632, 817 P.2d 1779 (1991); Riley v. State, 107 Nev. 205, 808 P.2d
10 551 (1991); Emmons v. State, 107 Nev. 53, 807 P.2d 718 (1991);
11 Bennett v. State, 106 Nev. 135, 787, P.2d 797 (1990); Hardison v.
12 State, 104 Nev. 530 763 P.2d 52 (1988); and Crump v. State, 102
13 Nev. 158, 716 P.2d 1387 (1986).

14 In addition to seeking the death penalty against the
15 Defendant based upon the aggravating nature of the offense
16 itself, the State intends to present the following aggravating
17 circumstance pursuant to NRS 200.033 as allowed by NRS 175.552:

18 Evidence that the defendant subjected the victim of the
19 murder, Ilona Straumanis, to nonconsensual sexual penetration, as
20 defined in NRS 200.033(13), immediately before, during or
21 immediately after the commission of the murder, to wit, the
22 defendant engaged in anal intercourse with the victim shortly
23 before and/or shortly after he killed her.

24 Evidence that the defendant has been previously
25 convicted of a felony offense involving the use or threat of
26 violence to the person of another, to wit, in 1979 the defendant

1 was convicted of felony Assault in the Second Degree in Snohomish
2 County Superior Court, Washington.

3 Evidence that the defendant has been previously
4 convicted of a felony offense involving the use or threat of
5 violence to the person of another, to wit, in 1984 the defendant
6 was convicted of felony Assault in the Second Degree in Snohomish
7 County Superior Court, Washington.

8 Evidence that the defendant has been previously
9 convicted of a felony offense involving the use or threat of
10 violence to the person of another, to wit, in 1984 the defendant
11 was convicted of felony Second Degree Arson in Snohomish County
12 Superior Court, Washington.

13 The State also intends to present evidence against the
14 Defendant at the penalty hearing pursuant to NRS 175.552, in
15 addition to the aggravated circumstances outlined above, to
16 include all relevant character evidence as well as the
17 circumstances of the particular offense. NRS 175.552; Flannigan
18 v. State, 107 Nev. 243, 810 P.2d 759 (1991); Robins v. State, 106
19 Nev. 611 (1990); Lopez v. State, 105 Nev. 68, 769 P.2d 1276
20 (1989); Biondi v. State, 101 Nev. 252 (1985); and Allen v. State,
21 99 Nev. 485, 665 P.2d 238 (1983).

22 The State will rebut any defense claim of mitigating
23 circumstances as listed in NRS 200.035(1)-(6). If the defendant
24 intends to rely on any other mitigating circumstances as set
25 forth in NRS 200.035(7), the State should have prior notice. In
26 any case, the State will address and rebut any alleged mitigating

1 circumstances, the exact nature of which may not be known until
2 the presentation of those mitigating circumstances by the
3 defense.

4 The State asserts that the documented aggravating
5 circumstances are not outweighed by any mitigation and, thus, the
6 death penalty is appropriate for the Defendant.

7 If additional evidence of aggravating circumstances as
8 set forth in NRS 200.033 become apparent prior to the
9 commencement of the penalty hearing, notice will be provided to
10 counsel and the Defendant as required by NRS 200.033, NRS 175.552
11 and Supreme Court Rule 250.

12 Based on the foregoing and upon the conviction of the
13 Defendant for Murder of the First Degree, it is submitted that
14 all relevant evidence concerning this notice is to be presented
15 to the jury of twelve or three judge panel to allow a death
16 verdict to be returned against the Defendant, in accordance with
17 the law.

18 Dated this 14th day of April, 1999.

19 RICHARD A. GAMMICK
20 District Attorney
21 Washoe County, Nevada

22 By Daniel J. Greco
23 DANIEL J. GRECO
24 Deputy District Attorney
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MAIZIE PUSICH
P.O. BOX 30083
RENO, NEVADA 89520-3083

Vicki Hamm
Vicki Hamm

ER 0653

1 Case No. CR99-0611

2 Dept. No. 1

FILED

4/10/99
AMY HARVEY, Clerk

By Unyan
Deputy Clerk

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6 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,
7 IN AND FOR THE COUNTY OF WASHOE.

8 * * *

9 THE STATE OF NEVADA,

10 Plaintiff,

11 v.

GUILTY PLEA MEMORANDUM

12 TERRY JESS DENNIS,

13 Defendant.
14 _____/

15 1. I, TERRY JESS DENNIS, understand that I am charged
16 with the offense(s) of: FIRST DEGREE MURDER WITH THE USE OF A
17 DEADLY WEAPON, a violation of NRS 193.165, NRS 200.010 and NRS
18 200.030, a felony.

19 2. I desire to enter a plea of guilty to the
20 offense(s) of FIRST DEGREE MURDER WITH THE USE OF A DEADLY
21 WEAPON, a violation of NRS 193.165, NRS 200.010 and NRS 200.030,
22 a felony, as more fully alleged in the charge(s) filed against
23 me.

24 3. By entering my plea of guilty I know and understand
25 that I am waiving the following constitutional rights:

26 ///

Vol I

1 A. I waive my privilege against self-incrimination.

2 B. I waive my right to trial by jury, at which trial
3 the State would have to prove my guilt of all elements of the
4 offense beyond a reasonable doubt.

5 C. I waive my right to confront my accusers, that is,
6 the right to confront and cross examine all witnesses who would
7 testify at trial.

8 D. I waive my right to subpoena witnesses for trial on
9 my behalf.

10 4. I understand the charge(s) against me and that the
11 elements of the offense(s) which the State would have to prove
12 beyond a reasonable doubt at trial are that on the 6th day of
13 March, 1999, or thereabout, in the County of Washoe, State of
14 Nevada, I did, willfully, unlawfully, and with malice
15 aforethought, deliberation, and premeditation, kill and murder
16 ILONA STRAUMANIS, a human being, and further did use a deadly
17 weapon in the commission of the crime, to wit, I strangled the
18 victim and used a belt in the commission of the offense, thereby
19 inflicting mortal injuries upon the said ILONA STRAUMANIS from
20 which she died on or about March 6, 1999.

21 5. I understand that I admit the facts which support
22 all the elements of the offense by pleading guilty. I admit that
23 the State possesses sufficient evidence which would result in my
24 conviction. I have considered and discussed all possible
25 defenses and defense strategies with my counsel. I understand
26 that I have the right to appeal from adverse rulings on pretrial

1 motions only if the State and the Court consent to my right to
2 appeal. In the absence of such an agreement, I understand that
3 any substantive or procedural pretrial issue or issues which
4 could have been raised at trial are waived by my plea.

5 6. I understand that the consequences of my plea of
6 guilty are that I may be punished by death by lethal injection,
7 or by life imprisonment without the possibility of parole and a
8 mandatory consecutive term of equal length due to the deadly
9 weapon enhancement, or by life imprisonment with the possibility
10 of parole when a minimum of twenty years has been served and a
11 mandatory consecutive term of equal length due to the deadly
12 weapon enhancement, or a definite term of fifty years with
13 eligibility for parole beginning when a minimum of twenty years
14 has been served and a mandatory consecutive term of equal length
15 due to the deadly weapon enhancement.

16 7. In exchange for my plea of guilty, the State, my
17 counsel and I have agreed to recommend the following: The State
18 will be free to argue for an appropriate sentence. I understand
19 that the State will in fact argue for a sentence of death by
20 lethal injection. The State will not pursue any additional
21 charges arising out of this event or transaction which is
22 referenced by Reno Police Department case number 064128-99.

23 8. I understand that, even though the State and I have
24 reached this plea agreement, the State is reserving the right to
25 present arguments, facts, and/or witnesses at sentencing in
26 support of the plea agreement.

1 9. I also agree that I will make full restitution in
2 this matter, as determined by the Court. Where applicable, I
3 additionally understand and agree that I will be responsible for
4 the repayment of any costs incurred by the State or County in
5 securing my return to this jurisdiction.

6 10. I understand that the State, at their discretion,
7 is entitled to either withdraw from this agreement and proceed
8 with the prosecution of the original charges or be free to argue
9 for an appropriate sentence at the time of sentencing if I fail
10 to appear at any scheduled proceeding in this matter OR if prior
11 to the date of my sentencing I am arrested in any jurisdiction
12 for a violation of law OR if I have misrepresented my prior
13 criminal history. My prior criminal history consists of three
14 felony violence convictions, one or more felonies convictions for
15 non-violent offenses and assorted misdemeanor convictions. I
16 understand and agree that the occurrence of any of these acts
17 constitutes a material breach of my plea agreement with the
18 State. I further understand and agree that by the execution of
19 this agreement, I am waiving any right I may have to remand this
20 matter to Justice Court should I later withdraw my plea.

21 11. I understand and agree that pursuant to the terms
22 of the plea agreement stated herein, any counts which are to be
23 dismissed and any other cases charged or uncharged which are
24 either to be dismissed or not pursued by the State, may be
25 considered by the court at the time of my sentencing.

26 ///

1 12. I understand that the Court is not bound by the
2 agreement of the parties and that the matter of sentencing is to
3 be determined solely by the Court. I have discussed the
4 charge(s), the facts and the possible defenses with my attorney.
5 All of the foregoing rights, waiver of rights, elements, possible
6 penalties, and consequences, have been carefully explained to me
7 by my attorney. I am satisfied with my counsel's advice and
8 representation leading to this resolution of my case. I am aware
9 that if I am not satisfied with my counsel I should advise the
10 Court at this time. I believe that entering my plea is in my
11 best interest and that going to trial is not in my best interest.

2 13. I understand that this plea and resulting
13 conviction may have adverse effects upon my residency in this
14 country if I am not a U. S. Citizen.

15 14. I offer my plea freely, voluntarily, knowingly and
16 with full understanding of all matters set forth in the
17 Information and in this Plea Memorandum. I understand everything
18 contained within this Memorandum.

19 15. My plea of guilty is voluntary, is not the result
20 of any threats, coercion or promises of leniency.

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

1 16. I am signing this Plea Memorandum voluntarily with
2 advice of counsel, under no duress, coercion, or promises of
3 leniency.

4 DATED this 14th day of April, 1999.

5
6 [Signature]
7 DEFENDANT

8 not needed
9 TRANSLATOR/INTERPRETER

10 Mozie W. Puzick
11 Attorney Witnessing Defendant's Signature

12 [Signature]
13 Prosecuting Attorney

1 want to remind you that as we work through this information, I
2 understand it could be somewhat tedious. If at any time
3 there's anything I'm asking you or there are any issues that
4 you don't understand or that you want to talk more about,
5 please make that known to the court.

6 This is a very important process because you
7 are making -- if the court chooses to accept your guilty plea
8 today, it is a tremendously important decision that you're
9 making that will affect you, potentially dramatically, all
10 right? So those are the ground rules. I just want you to know
11 that you can chime in at any time.

12 THE DEFENDANT: Okay.

13 THE COURT: If the court accepts your plea of
14 guilty, a three-judge panel will decide your sentence. And do
15 you understand that you'd be entitled to present evidence of
16 what we call mitigating factors, which may mitigate aggravating
17 factors? Have you talked about mitigating and aggravating
18 factors with your counsel?

19 THE DEFENDANT: Yes, ma'am, I have.

20 THE COURT: And can you tell me what your
21 understanding of mitigating and aggravating factors are?

22 THE DEFENDANT: Well, my understanding is that an
23 aggravating factor would be -- well, under the eyes of the
24 law, it would be like former legal convictions, former
25 convictions of crimes of violence, anything and probably

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1 Case No. CR99-0611

2 Dept. No. 1

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4 IN THE SECOND JUDICIAL DISTRICT ~~COURT OF THE STATE OF NEVADA~~
DEPUTY

5

IN AND FOR THE COUNTY OF WASHOE

6

THE HONORABLE JANET J. BERRY, DISTRICT JUDGE

7

--oOo--

8

9 THE STATE OF NEVADA,

ARRAIGNMENT

10

Plaintiff,

April 16, 1999

11

-vs-

Reno, Nevada

12

TERRY JESS DENNIS,

13

Defendant./

14

APPEARANCES:

15

For the Plaintiff:

DAN GRECO

16

Deputy District Attorney
Washoe County Courthouse
Reno, Nevada

17

18

For the Defendant:

MAIZIE PUSICH

19

& JOHN PETTY

20

Chief Deputy Public
Defender, Chief

21

Appellate Deputy Public
Defender

22

195 South Sierra Street
Reno, Nevada

23

The Defendant:

TERRY JESS DENNIS

24

For the Division
of Parole and Probation:

DANA UKEN

25

Reported by:

Nicole Alexander, CCR #446

ORIGINAL

1 RENO, NEVADA; FRIDAY, APRIL 16, 1999; 3:01 P.M.

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3
4 THE COURT: We are here on the matter of State
5 versus Terry Jess Dennis, CR99-0611. This is the time and
6 place scheduled for the arraignment in this matter.

7 Counsel, would you please put your appearances on
8 the record.

9 MS. PUSICH: Yes, Your Honor. Maizie Pusich and
10 John Petty appearing on behalf of Terry Dennis.

11 MR. GRECO: Dan Greco on behalf of the State of
12 Nevada.

13 THE COURT: Ms. Pusich, I hand you a copy of the
14 information.

15 MS. PUSICH: Thank you, Your Honor. Mr. Dennis
16 advises me that his name is correctly stated and spelled at
17 line 12 of the information. We are familiar with its contents
18 and therefore waive its formal reading.

19 At this time, it's my understanding that Mr. Dennis
20 will enter a plea of guilty to the single count charged in the
21 information. This is not in exchange for any particular
22 concessions being offered by the State.

23 THE COURT: Thank you, Ms. Pusich. Before we
24 commence the canvass in this plea, I want to make a record as
25 to what we have done.

1 The record should reflect that the court met with
2 counsel in chambers yesterday afternoon when it was brought to
3 the court's attention that it was the intent of the defendant
4 to enter a guilty plea as to this charge.

5 At that time, counsel stipulated to allow the court
6 to contact the jail and request all medical records of the
7 defendant be sent to the court, copies of which were provided
8 to counsel this morning. Is that correct, Counsel?

9 MS. PUSICH: Yes, Your Honor.

10 MR. GRECO: Yes, Your Honor.

11 THE COURT: And I would like at this time to have
12 my clerk mark as Exhibit 1 the Washoe County Detention Center
13 medical records on behalf of the defendant. And, Mrs. Pusich,
14 have you had an opportunity to review those with your client?

15 MS. PUSICH: Your Honor, I have not had an
16 opportunity to review them with my client. However, they are
17 consistent with conversations he and I have had over the time
18 period that they document regarding medications he's been
19 provided, medications he's declined, things of that nature.

20 THE COURT: And we will go over those in a little
21 more detail momentarily, sir. But I would like to mark them
22 and make them part of the record. Any objection from counsel?

23 MS. PUSICH: No, Your Honor.

24 MR. GRECO: No, Your Honor.

25 THE COURT: That will be Exhibit 1. Exhibit 2 will

1 be the letter that I sent to the jail as well requesting these
2 documents.

3 (Exhibit Nos. 1-2 marked for identification.)

4 THE COURT: And finally, yesterday in preparation
5 for today's proceedings, counsel provided me a psychiatric
6 evaluation from Dr. Lynn. I have a copy, and counsel has the
7 original. Again, does counsel stipulate to allow this document
8 to be made part of the record?

9 MS. PUSICH: We do, Your Honor.

10 MR. GRECO: Yes, Your Honor.

11 THE COURT: Then this will be marked as Exhibit 3
12 for purposes of the record. And it is a photocopy of the
13 original document, but it is a clean copy and easily readable.

14 (Exhibit No. 3 marked for identification.)

15 THE COURT: Mr. Dennis, this is going to take a
16 period of time. And if you'd like to be seated as we work
17 through this, you're free to do so, or you can remain standing.

18 THE DEFENDANT: I'd like to sit.

19 THE COURT: You may do so.

20 Mr. Dennis, you are charged in this case with first
21 degree murder, the most serious of offenses that a defendant
22 can face. And your counsel has advised the court that you wish
23 to enter a guilty plea.

24 Before the court can allow you to enter a plea to
25 this extremely serious charge, we need to review your

1 constitutional rights at some length. I understand and know
2 that you have been provided with exceptional legal counsel.
3 You have spent a great deal of time with your attorney
4 reviewing this case, and so this might seem somewhat
5 repetitious to you, sir. But I would appreciate your patience
6 and your full involvement as we work through this process so
7 that the court can be assured that you are making a knowing,
8 voluntary, and intelligent waiver of those rights.

9 With that said, sir, I'm going to ask you to stand
10 once more, and I am going to put you under oath for purposes of
11 these proceedings.

12 (Whereupon, the defendant was duly sworn.)

13 THE COURT: You may be seated, sir.

14 Mr. Dennis, I'm going to be asking you and we're
15 going to be visiting for the next period of time about many of
16 the issues in this case. And I want you to know that you have
17 a right to remain silent, that you don't have to answer the
18 court's questions. But when you choose to do so, anything that
19 you say in these proceedings can be used against you in any
20 future proceedings or any appellate proceedings. Do you
21 understand that, sir?

22 THE DEFENDANT: Yes, I do.

23 THE COURT: And do you want to give up your right
24 to remain silent and go forward and answer these questions that
25 might be against your interest?

1 THE DEFENDANT: I'll waive it at this time, Your
2 Honor.

3 THE COURT: And certainly -- and I appreciate
4 counsel's explanation. You can certainly invoke at any time or
5 as to any of these questions your right to remain silent, or if
6 you believe that the question might be detrimental to your
7 position or if you choose not to go forward on your guilty
8 plea, you can stop these proceedings at any time.

9 How old are you, sir?

10 THE DEFENDANT: 52.

11 THE COURT: And how many years of schooling have
12 you had?

13 THE DEFENDANT: 13.

14 THE COURT: And have you had any specialized
15 schooling or education? Any special training?

16 THE DEFENDANT: A year of electronics and
17 mathematics.

18 THE COURT: And do you have military service
19 background, sir?

20 THE DEFENDANT: Yes, ma'am, I do.

21 THE COURT: Could you tell me a little bit about
22 that?

23 THE DEFENDANT: I was honorably discharged from the
24 Air Force.

25 THE COURT: And how many years did you serve in the

1 Air Force?

2 THE DEFENDANT: Four.

3 THE COURT: Four? And what rank did you obtain?

4 THE DEFENDANT: E-3.

5 THE COURT: Can you tell the court what an E-3 is?

6 THE DEFENDANT: Airman, first class.

7 THE COURT: And during the course of your military
8 service, were you provided additional education in any
9 specialized area?

10 THE DEFENDANT: Just basic electronics. Airborne
11 radar.

12 THE COURT: So radar training. And did you use
13 that for tracking airplanes, or what type of job did you have?

14 THE DEFENDANT: Well, it was navigational equipment
15 and aircraft, maintenance thereof.

16 THE COURT: And I understand that you have a high
17 level of education, but I have to ask this question. Do you
18 know how to read and write and understand the English language?

19 THE DEFENDANT: Yes, ma'am.

20 THE COURT: And are you under the influence of any
21 drugs, alcohol, or medication at this time?

22 THE DEFENDANT: No, ma'am.

23 THE COURT: And when was the last time that you
24 took any medication?

25 THE DEFENDANT: 12 days ago.

1 THE COURT: And what were the medications that you
2 were taking 12 days ago?

3 THE DEFENDANT: Depakote. And I believe other
4 one was Cenion. (Phonetic.)

5 THE COURT: And can you tell the court why you were
6 taking those medications?

7 THE DEFENDANT: Well, I've been diagnosed with
8 Bipolar Two disorder. Basically, the medication was so that I
9 could get along with people, a mood stabilizer.

10 THE COURT: And can you tell the court why you are
11 no longer taking these medications?

12 THE DEFENDANT: I just don't think I need them
13 anymore.

14 THE COURT: So you voluntarily decided to stop
15 taking the medications, is that correct?

16 THE DEFENDANT: Right.

17 THE COURT: And did you do that after consulting
18 with a physician up at the jail?

19 THE DEFENDANT: No, ma'am.

20 THE COURT: And did you do that against physician's
21 orders?

22 THE DEFENDANT: Nobody said anything about it one
23 way or the other.

24 THE COURT: Have you ever been treated for mental
25 illness?

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1 THE DEFENDANT: Yes, ma'am.

2 THE COURT: And can you tell me a little bit about
3 that?

4 THE DEFENDANT: For the past three and a half years
5 or so, I've been treated for severe chronic depression,
6 bipolar, posttraumatic stress disorder.

7 THE COURT: And can you tell me when you were first
8 diagnosed with these illnesses?

9 THE DEFENDANT: Roughly '95. August of '95.

10 THE COURT: Did you have any treatment for any
11 mental health issues or any substance abuse issues before '95?

12 THE DEFENDANT: Substance abuse, yes, ma'am. I did
13 two inpatient treatment programs for alcohol.

14 THE COURT: And when did you receive those?

15 THE DEFENDANT: '79 for a month. And then 1988 for
16 a month.

17 THE COURT: And the court would refer to Exhibit
18 Number 1, which are the records from the Washoe County Jail
19 that indicate -- chronological records from when you were
20 booked in. And these records indicate that you did receive
21 some of the medications that you referenced and also they
22 reference a skin condition that was of some concern. And you
23 received treatment for that, is that correct?

24 THE DEFENDANT: Yes, ma'am.

25 THE COURT: And this report indicates that on April

1 4th, 1999, you indicated that you no longer wanted to take your
2 medications as you felt you did not need them, is that correct?

3 THE DEFENDANT: That is correct.

4 THE COURT: And do you recall what doctor or nurse
5 you were working with at the jail?

6 THE DEFENDANT: No, ma'am.

7 THE COURT: And can you tell the court where you've
8 been classified at the jail? What housing unit have you been
9 in?

10 THE DEFENDANT: I started out in infirmary, and
11 then I was transferred to housing unit four. And now I'm
12 presently in housing unit two.

13 THE COURT: And have you been on suicide watch or
14 had any suicide attempts while in the jail?

15 THE DEFENDANT: No, ma'am. I believe when I was
16 first placed in the infirmary, I was placed on a suicide watch
17 cell for like one day.

18 THE COURT: And have you expressed any thoughts of
19 suicide or made any attempts?

20 THE DEFENDANT: Not at all. Not at all.

21 THE COURT: And are you suffering from any mental
22 illness today?

23 THE DEFENDANT: I imagine so. But, I mean, they
24 just don't go away. I just decline treatment, that's all.

25 THE COURT: Again, the court would refer to

1 Dr. Lynn's report, Exhibit 3.

2 Have you had an opportunity to read Dr. Lynn's
3 report, dated March 24th, 1999?

4 THE DEFENDANT: No, ma'am. I haven't seen it.

5 THE COURT: Do you remember visiting with
6 Dr. Lynn?

7 THE DEFENDANT: Yes, ma'am, I do.

8 THE COURT: Ms. Pusich, if you'd just let him take
9 a quick look at that so that we can discuss it in a little more
10 detail.

11 The record should reflect that Mr. Dennis has read
12 the three-page report prepared by Dr. Lynn, and you've had an
13 opportunity to read his assessment of you. Are you in
14 agreement with the doctor's assessment, sir?

15 THE DEFENDANT: Seems to be about accurate, yeah.

16 THE COURT: And Dr. Lynn's report outlines,
17 essentially summarizes what you have been saying, that he
18 outlined some of your previous arrests and he outlined some
19 previous involuntary admissions for psychiatric care and some
20 of the tests that he performed on you.

21 His ultimate conclusion is that you are competent
22 to understand the nature of the charges against you and to
23 assist in your own defense. And he concluded that he felt that
24 you were clinically depressed but yet competent to go forward.

25 Is there anything within this report that you

1 dispute, Mr. Dennis, or you wish to clarify at this time?

2 THE DEFENDANT: No. It seems pretty cut and dry to
3 me.

4 THE COURT: All right. Now, after reviewing
5 Dr. Lynn's report, would you like the court to order another
6 psychiatric report or further evaluation?

7 THE DEFENDANT: No. I don't think that's
8 necessary.

9 THE COURT: Ms. Pusich, have you reviewed this
10 psychological evaluation and is it consistent with your
11 impressions of your client's mental state?

12 MS. PUSICH: It is, Your Honor. And I have.

13 THE COURT: Mr. Dennis, have you had any prior
14 experience with legal proceedings?

15 THE DEFENDANT: Yes, ma'am.

16 THE COURT: Why don't we talk about that a little
17 bit. Can you tell me what your previous experience is? Go
18 back to your first arrest.

19 THE DEFENDANT: Oh, man. I've been arrested for
20 numerous things.

21 THE COURT: Well, what have you been arrested for,
22 sir?

23 THE DEFENDANT: Oh, God. Here in town, I've
24 been -- okay. The most serious one is exfelon in possession
25 of a firearm pistol, arson, two assaults, possession of

1 marijuana.

2 THE COURT: And at what age were you first
3 arrested? When was your first arrest?

4 THE DEFENDANT: My first very first? Oh, boy. I
5 was probably 14.

6 THE COURT: 14 years old?

7 THE DEFENDANT: Thereabouts.

8 THE COURT: And have you been imprisoned before?

9 THE DEFENDANT: Yes, ma'am.

10 THE COURT: Can you tell the court a little bit
11 about that experience?

12 THE DEFENDANT: The experience itself?

13 THE COURT: Well, what were you in prison for? How
14 much time did you spend in prison?

15 THE DEFENDANT: Yeah. I did two years in South
16 Dakota for possession of marijuana from 1970 to 1972. My first
17 assault charge in '79, I was placed on probation, five year's
18 probation.

19 I picked up another assault charge and was
20 convicted in '84. The assault, the first assault and second
21 assault and the arson were all run concurrent, and I did about
22 two and a half years in Washington state.

23 THE COURT: Washington State Prison?

24 THE DEFENDANT: Yeah. I was in the reformatory,
25 but through the state prison, yeah.

1 THE COURT: And how were you classified within
2 prison?

3 THE DEFENDANT: Medium security.

4 THE COURT: Were you in any kind of mental health
5 unit within that prison?

6 THE DEFENDANT: No, ma'am. The mental health thing
7 didn't -- when I was in the service, I tried to commit
8 suicide. But I haven't been -- I haven't received any
9 treatment other than that since until I came here, until I came
10 to Nevada about three and a half years ago.

11 THE COURT: And in all of your legal proceedings,
12 the assault charges, the drug charges, did you have legal
13 representation in those cases?

14 THE DEFENDANT: Yes, ma'am.

15 THE COURT: And were you able to -- I'm sorry,
16 sir.

17 THE DEFENDANT: Such as it was.

18 THE COURT: It wasn't at the level that you're
19 receiving in this case?

20 THE DEFENDANT: No. Not even close.

21 THE COURT: And in those proceedings, were you able
22 to assist in your own defense and understand the nature of
23 those charges?

24 THE DEFENDANT: Oh, I always understood the nature
25 of the charges, yes, ma'am.

1 THE COURT: Have you done any outside reading or
2 study of the law?

3 THE DEFENDANT: No, ma'am.

4 THE COURT: As it relates to this case, have you
5 reviewed any articles, any documents that counsel might have
6 provided you that explain the concept of the death penalty and
7 how a case, a first degree murder is processed through the
8 criminal justice system?

9 THE DEFENDANT: She's explained it pretty well, and
10 she has furnished with me with some documentation which I have
11 reviewed, yes.

12 THE COURT: And has that documentation assisted you
13 in understanding the magnitude of the offense and the nature of
14 the charges against you?

15 THE DEFENDANT: Yes, ma'am. It's helped quite a
16 bit.

17 THE COURT: And has it helped you communicating
18 with your lawyer about understanding the proceedings that we're
19 undertaking today?

20 THE DEFENDANT: Yes, ma'am, I feel it has.

21 THE COURT: And can you tell me what is your
22 understanding of the criminal justice process? Do you know
23 what an arraignment is?

24 THE DEFENDANT: As many of them that I've been to.

25 THE COURT: Do you understand that this is your

1 arraignment process? This is your opportunity to enter a
2 plea.

3 THE DEFENDANT: Right.

4 THE COURT: And you understand that you can enter a
5 not guilty plea and have a jury trial?

6 THE DEFENDANT: Right. I understand that.

7 THE COURT: And you've discussed that with your
8 attorney?

9 THE DEFENDANT: Yes, I have, at length.

10 THE COURT: And the record should reflect that
11 counsel has met in chambers with the court and has -- and I
12 will certainly give counsel an opportunity momentarily to make
13 her record as well as to the time she spent with me.

14 But can you tell me, do you know why you're here
15 today in front of the court?

16 THE DEFENDANT: Yes, ma'am. I believe I do.

17 THE COURT: Tell me.

18 THE DEFENDANT: I feel pretty confident that I do,
19 yeah.

20 THE COURT: Tell me why.

21 THE DEFENDANT: I'm here to enter a plea and to
22 have a lot of explanation thrown at me and a lot of
23 clarification on your side to make sure that I'm actually doing
24 this because I want to.

25 THE COURT: And I appreciate those comments. And I

1 everything that would point to the fact that in fact I did
2 commit the crime, the circumstances surrounding it and factors
3 that would tend to go against me, let's say, where on the other
4 hand, mitigating circumstances would be factors more in my
5 favor, for whatever reason.

6 THE COURT: Can you describe what you might
7 consider mitigating factors?

8 THE DEFENDANT: Probably my mental health history,
9 military service, possible witnesses, character witnesses or
10 whatever.

11 THE COURT: Can you tell me a little bit about your
12 family background, your social history?

13 THE DEFENDANT: Well, I was adopted when I was a
14 year old. And the only relatives I have left -- I have a
15 brother I haven't seen in quite a few years because we don't
16 get along. And I have a son up in Seattle, I guess. I haven't
17 seen him for a long time either. Everybody else is gone. So
18 as far as like a family, I really don't have one.

19 THE COURT: And was there anyone in your family who
20 suffered from mental health issues?

21 THE DEFENDANT: Not that I know. I mean, I was
22 pretty young, you know. But there was a lot of alcoholism.

23 THE COURT: And who suffered from the alcoholism?

24 THE DEFENDANT: A lot of uncles, a lot of
25 relatives. And I guess my mother, my biological mother, was

1 alcoholic. She died of tuberculosis. But she used to escape
2 from the sanitarium, go downtown, pick up sailors and get
3 drunk.

4 THE COURT: Did you know your biological mother?

5 THE DEFENDANT: I was a year old when she died.

6 THE COURT: And so the information regarding the
7 mother was given to you by whom?

8 THE DEFENDANT: My grandmother.

9 THE COURT: And your adopted parents, did you have
10 a good relationship with them?

11 THE DEFENDANT: I thought so up until some things
12 started coming out in my memory that I tried not to remember
13 for a lot of years.

14 THE COURT: And are there any issues about your
15 family history or your substance abuse issues or mental health
16 issues that you believe could assist Ms. Pusich in developing
17 defenses in this case? And have you had an opportunity to
18 discuss that with your attorney?

19 THE DEFENDANT: Yes, ma'am, I've had an opportunity
20 to discuss that with her. And I think if I were to turn her
21 loose and let her do what she wants to do, all of that would
22 come flying out. We have agreed to disagree about this
23 position of this thing.

24 THE COURT: Ms. Pusich, would this be an
25 appropriate time to allow you to make a record on some of the

1 advice that you've given your client as it relates to those
2 issues?

3 MS. PUSICH: Your Honor is certainly accurate in
4 suggesting that we've agreed to disagree. I have met with him
5 at least a couple of times a week since I learned that he was
6 in custody. I met with him in the infirmary. I was present
7 for his initial psychiatric evaluation with Dr. Thienhaus. I
8 have met with him one time since he was moved to unit four --
9 unit two the day before yesterday. I don't know how many times
10 I've been in unit four, but it's several.

11 I have documented my meetings and conversations
12 with him, both with letters to him and notes to my file. We
13 have discussed the fact that many circumstances of the crime
14 itself and his background and the circumstances of his life
15 could be raised in his defense at trial, and also as mitigating
16 evidence at the time of a penalty hearing in this matter.

17 And as he noted when we started, we've agreed to
18 disagree. I certainly don't want him to come in and plead
19 guilty to first degree murder. I don't want him to do any of
20 the other things he's indicated it's his intention to do. But
21 he is a competent adult. And as much as I would like to force
22 my philosophical beliefs on him, I've agreed with him that I
23 won't do that.

24 THE COURT: Thank you.

25 Mr. Dennis, generally when a defendant pleads

1 guilty to a charge, there's a plea bargain or there's some
2 other arrangement which gives you a benefit. And as you've
3 probably surmised, it is extremely unusual for a defendant to
4 come in and plead guilty to first degree murder with the
5 possible penalties that you're facing in this case. So it
6 doesn't appear to the court that you're receiving any benefit
7 whatsoever in exchange for your plea of guilty.

8 Can you tell the court why you want to plead guilty
9 to this charge without the benefit of a jury trial?

10 THE DEFENDANT: Well, Your Honor, the way I see it
11 is that, see, I've been in prison twice before. And spending
12 the rest of my life in prison to me is not living at all. It's
13 existing.

14 And what I understand the penalties would be time
15 wise, were I to receive less than a death sentence, still would
16 amount to me as life. I mean, we're talking what, 20 years
17 plus 20 years on top of that or 50 years, whatever. I'm 52
18 now. I don't anticipate being alive that much longer. And I
19 certainly don't want to just waste away for the next, what, 25
20 years or whatever I've got left, doddering around in prison.
21 I'd just as soon get it over faster than that. And that's the
22 long and short of it.

23 THE COURT: Then let's talk about the type of
24 sentence that you could receive then to make sure that you
25 understand the nature of the sentence.

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1 Do you understand that if you plead guilty to first
2 degree murder, the possible penalties are first a prison term
3 of 50 years with eligibility for parole beginning when a
4 minimum of 20 years has been served? And this does not mean
5 that you would be paroled after 20 years, but only that you
6 would be eligible for parole after that period of time. Do you
7 understand that?

8 THE DEFENDANT: Yes, ma'am.

9 THE COURT: Do you further understand that you
10 could receive a sentence of life imprisonment with the
11 possibility of parole? And that is a sentence of life
12 imprisonment, which provides that you would be eligible for
13 parole after a period of 20 years. This does not mean that you
14 would be paroled after 20 years, but only that you would be
15 eligible for parole after 20 years. Do you understand that?

16 THE DEFENDANT: Yes, ma'am.

17 THE COURT: Do you understand that you could also
18 receive life imprisonment without the possibility of parole?
19 And that means exactly what it says, that you will never be
20 eligible for parole.

21 THE DEFENDANT: I understand, Your Honor.

22 THE COURT: And finally, sir, do you understand
23 that you may be sentenced to death and that you must assume
24 that the death sentence will be carried out by the State of
25 Nevada?

1 THE DEFENDANT: I do understand, Your Honor.

2 MS. PUSICH: Your Honor, just so the record is
3 complete, if Mr. Dennis were convicted of any charge for which
4 enhancement is possible under the law, the State has alleged a
5 deadly weapon. And I believe that under the functional test,
6 they could prove that. So every sentence would be doubled.

7 THE COURT: Thank you, Ms. Pusich. That is
8 correct.

9 Do you understand that, sir?

10 THE DEFENDANT: Yes, I do.

11 THE COURT: That each sentence could be doubled?

12 THE DEFENDANT: I do understand that.

13 THE COURT: Has your lawyer or anyone else told you
14 or led you to believe that a three-judge panel will or might
15 treat you leniently or more leniently than a jury would?

16 THE DEFENDANT: No, ma'am.

17 THE COURT: What is your understanding of how a
18 three-judge panel works?

19 THE DEFENDANT: Well, I'm not exactly sure whether
20 they have to have a two out of three consensus, all three
21 unanimous, or what. But my understanding is that after the
22 plea is accepted, the matter is turned over for review by a
23 three-judge panel rather than a jury of 12 or whatever. And
24 they go over all of the pertinent information and come to a
25 decision as to sentencing, the penalty phase.

1 THE COURT: Mr. Dennis, at the request, and again,
2 stipulation of counsel, the court contacted the Chief Justice
3 of the Nevada Supreme Court, as your attorney indicated that
4 you wanted this case to move expeditiously.

5 The Chief Justice of the Nevada Supreme Court,
6 Robert Rose, indicated he would appoint a three-judge panel.
7 As the judge assigned to this case, I would be one member of
8 that panel. The other two judges will be selected by the Chief
9 Justice. And the Chief Justice will order those two judges to
10 fill out the panel.

11 Those two judges are selected from jurisdictions
12 other than this jurisdiction. It would not be another judge
13 from this jurisdiction. It could be from Las Vegas, it could
14 be from Douglas County. That panel would -- if the court
15 accepts your plea today, the panel would commence at 9:00 a.m.,
16 July 19th, at the request and stipulation of counsel.

17 Is that correct, Counsel?

18 MS. PUSICH: Your Honor, that is the date that we
19 discussed to accommodate his trial calendar and my own.

20 THE COURT: And also, as I understood that
21 Mr. Dennis has requested that this matter be moved along
22 expeditiously.

23 MS. PUSICH: Yes, Your Honor. I actually think
24 that if our calendar is accommodated, he would ask for it to go
25 faster, but that was the first date we had in common.

1 THE COURT: And so you understand, sir, that it is
2 the Chief Justice who will select the two other judges who will
3 hear the penalty phase of the case, should your plea be
4 accepted?

5 THE DEFENDANT: I understand.

6 THE COURT: And it is the court's understanding
7 that in a three-judge panel, there has to be unanimity between
8 the three judges. Is that correct, Counsel?

9 MR. PETTY: That is correct, Your Honor

10 MS. PUSICH: Yes, Your Honor.

11 THE COURT: And if there is not unanimity, then we
12 look back at the other options for sentencing. So do you
13 understand that, Mr. Dennis?

14 THE DEFENDANT: Yes, ma'am.

15 THE COURT: Is that counsel's understanding?

16 MS. PUSICH: Your Honor, actually, it was my
17 understanding that if it were not unanimous, the sentence would
18 be life without. But I'm not positive.

19 THE COURT: That was my understanding as well. But
20 can counsel argue for the lesser sentences of a fixed term to a
21 three-judge panel?

22 MR. PETTY: Well, any argument that could be made
23 to a jury can be made to the three-judge panel. The
24 three-judge panel may wish to forego the death penalty. But
25 I'm sure that Ms. Pusich has explained to her client

1 statistically it's more likely than not that a three-judge
2 panel will impose the death penalty.

3 THE COURT: Understood. But I want to be clear,
4 again, because I have not presided in a three-judge panel.
5 Counsel would be allowed to argue for a fixed term of years or
6 for life without, and that the three-judge panel is not bound
7 if they rejected that penalty to go immediately to life
8 without.

9 MS. PUSICH: That is correct, Your Honor. Their
10 deliberations are private, just as a jury's would be.

11 THE COURT: So the three-judge panel could, after
12 hearing the penalty phase, the three-judge panel could impose
13 all of the -- have the option of imposing either the death
14 penalty or the other fixed terms of years or life without as
15 previously discussed or life with.

16 MS. PUSICH: Yes, Your Honor.

17 THE COURT: Do you understand that, Mr. Dennis?

18 THE DEFENDANT: Yes, I do.

19 THE COURT: Now with that said, Mr. Petty is
20 referencing the Kirksey versus State case, 112 Nevada, 980, a
21 1996 case where the court discussed the concept that
22 three-judge panels tend to impose the death penalty
23 statistically far more frequently than a jury.

24 Have you discussed that issue with counsel?

25 THE DEFENDANT: Actually, she furnished me with

1 that documentation of the discussions of the three-judge panel
2 and the objections made by the defendant in the appellate to
3 them over that decision that that was a prejudicial issue. And
4 I read how it was finalized and everything.

5 THE COURT: And after reading the Kirksey decision,
6 do you perceive any advantage or benefit to proceed with the
7 three-judge panel rather than a jury?

8 THE DEFENDANT: No, ma'am. I don't see any
9 advantage or disadvantage to it one way or another.

10 THE COURT: But you understand that Ms. Pusich and
11 Mr. Petty, their understanding and they're experts in this area
12 and all of that, that the three-judge panel is more detrimental
13 and more likely to receive a death penalty than if you were to
14 go and elect a jury trial. Do you understand that?

15 THE DEFENDANT: Yes, I do.

16 THE COURT: And do you still want to go forward if
17 the court accepts your plea with the three-judge panel?

18 THE DEFENDANT: Yes, ma'am, I do.

19 THE COURT: Understanding that's what you would
20 have.

21 THE DEFENDANT: Yeah.

22 THE COURT: Have you considered the possibility of
23 going through a jury selection process and getting acquainted
24 with the possible jury, and then if you're not satisfied with
25 the jury that's selected, you could enter a plea at that time?

1 THE DEFENDANT: Your Honor, to tell you the truth,
2 I think the whole thing is a big waste of time and money.

3 THE COURT: Have you talked about these options
4 with your attorneys?

5 THE DEFENDANT: I sure have.

6 THE COURT: Ms. Pusich, could you state for the
7 record what, if anything, you discussed with your client with
8 respect to the disadvantage of and the advantages of going with
9 a three-judge panel versus a jury trial.

10 MS. PUSICH: Yes, Your Honor. As he mentioned, I
11 did provide him with copies of both Kirksey opinions. There
12 are actually two, Lang, which is referenced by Kirksey, it's a
13 California Supreme Court decision, the Calambro opinion that
14 talks about entry of plea.

15 We have discussed at length my opinion that he
16 would have a far better chance at trial at sentencing and on
17 appeal if he were in front of a jury. In addition to the
18 Kirksey opinion that panels are far more likely to impose a
19 sentence of death because they are composed of judges that are
20 trained in the law who are reviewed by judges that are their
21 peers, they're also more frequently reversed on appeal than
22 juries.

23 Certainly, if his desire is to get this over with
24 and to accomplish his sentence of death, a panel is a very
25 expeditious way of accomplishing that. As I noted before, we

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1 don't agree with this, but I've given him the information he
2 needs to make his decision of how he wants to go forward.

3 THE COURT: Any other information you wish to
4 supplement as to that issue, Mr. Petty?

5 MR. PETTY: No, Your Honor. Thank you.

6 THE COURT: And again, Mr. Petty, I welcome any of
7 your comments throughout the canvass.

8 Mr. Dennis, I want to make sure that you understand
9 all of the rights that would inure to your benefit if you were
10 to choose a jury trial. Do you understand that you have an
11 absolute constitutional right to have a jury trial and that if
12 we were to have that, the court would send for a panel of 75 to
13 100 prospective jurors, and these jurors would be drawn at
14 random from the voter registration polls of Washoe County?

15 THE DEFENDANT: I understand that.

16 THE COURT: And do you understand that these jurors
17 would be brought to the courtroom and you and your lawyer and
18 the district attorney would pick a jury of 12 people from this
19 group of 75 to 100 people, and there would be at least two
20 alternate jurors who would serve only in the event some of the
21 original jurors got sick or couldn't serve? Do you understand
22 that?

23 THE DEFENDANT: Yes, I do.

24 THE COURT: And in the process of picking a jury,
25 we would question all of the prospective jurors to see if they

1 could be fair and impartial before they would be seated in your
2 case. Do you understand that?

3 THE DEFENDANT: Yes, I do.

4 THE COURT: And your attorney would have an
5 opportunity to question and to get questions and have answers
6 from those prospective jurors, and you'd have an opportunity to
7 challenge any of those jurors so that they couldn't be on the
8 jury if you didn't think they were favorable to your cause. Do
9 you understand that?

10 THE DEFENDANT: Yes, I do.

11 THE COURT: And do you understand that you'd have
12 at least eight chances to just remove jurors from the jury pool
13 without giving any reason for excusing them from the jury
14 pool? You'd have eight opportunities to say, I'm not sure I
15 want that person on the jury. And you could petition the court
16 for more challenges if your attorney felt it was needed or
17 appropriate. Do you understand?

18 THE DEFENDANT: Yes, I do.

19 THE COURT: And you understand you'd have an
20 unlimited number of chances to challenge if there was a reason
21 at law that they should not be allowed to serve on the jury?
22 These are called challenges for cause. Do you understand that?

23 THE DEFENDANT: Yes.

24 THE COURT: Ms. Pusich, have you discussed the jury
25 selection process with your client and how a death penalty jury

1 selection process works?

2 MS. PUSICH: Your Honor, we have not discussed jury
3 selection at length because of his stated position that that
4 was not going to occur in his case. He does understand that he
5 would be allowed to be present and participate in the selection
6 and make comments and suggestions to me as that proceeded.

7 THE COURT: And again, Mr. Dennis, I understand --
8 I know that based upon your comments with your counsel that you
9 want to go forward on a guilty plea, but it's very important
10 that you weigh the pros and the cons, if you will, of entering
11 a guilty plea and having the penalty in the case decided by a
12 three-judge panel versus having a group of citizens, 12
13 citizens who are fair and impartial who sit as the judges of
14 the facts.

15 And the court needs to be satisfied that you
16 understand and want to give up that right. So do you
17 understand, then, the selection process? At the end of the
18 jury selection process, we'd have the 12 people -- they'd hear
19 all of the evidence. And I like to call the jurors the judges
20 of the facts. And their job is to watch the witnesses. Their
21 job is to hold the State to their burden of proof and require
22 them to prove each and every element of the crime beyond a
23 reasonable doubt.

24 And then after the jury hears all of the evidence
25 and they hear the arguments of counsel and any evidence that is

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1 admitted into the trial, and they go into a separate room, the
2 jury room behind this door, and those 12 folks are in their
3 separate from anyone else, no influence of anybody, and they
4 digest all of the facts. And they apply the law or the jury
5 instructions that the court has given. And then they can vote
6 on whether to find you guilty or not guilty.

7 Do you understand that process, sir?

8 THE DEFENDANT: Yes, ma'am.

9 THE COURT: You've indicated you've had some prior
10 convictions. Have you ever gone to a full trial in front of a
11 jury and had a verdict come in?

12 THE DEFENDANT: Only once.

13 THE COURT: And was there anything about that jury
14 trial process that you feel was unfair or that is causing you
15 to want to enter a guilty plea here and go before a three-judge
16 panel?

17 THE DEFENDANT: No, ma'am.

18 THE COURT: And where did you have the jury trial
19 previously?

20 THE DEFENDANT: I was a six-member jury for a DWI
21 up in Washington state.

22 THE COURT: Do you understand, sir, that in any
23 criminal trial, whether it's a jury or a nonjury trial, you as
24 the defendant are allowed to challenge the State's evidence and
25 cross-examine their witnesses and subpoena your own witnesses?

1 THE DEFENDANT: I understand that, yes.

2 THE COURT: And do you understand that Ms. Pusich
3 would have the power of the court to subpoena witnesses to come
4 to court and testify in favor of you?

5 THE DEFENDANT: Yes, ma'am.

6 THE COURT: Do you understand that you would also
7 have access to experts who could present your own evidence on
8 your behalf if you so choose, such as Dr. Lynn, who's done this
9 report, or any other doctors or experts?

10 THE DEFENDANT: Yeah, I understand.

11 THE COURT: And have you and your lawyer talked
12 about all of the witnesses who might be able to come in and
13 testify in your favor or have knowledge about this case that
14 would be favorable to you?

15 THE DEFENDANT: We haven't had lengthy discussions
16 about that because, as she said, I have from the start been
17 opposed to going through the trial, jury trial process.

18 THE COURT: Mr. Dennis, in your opinion -- you
19 know the facts of the case better than anyone in
20 this courtroom. Are there any witnesses out there, are there
21 any people that Ms. Pusich should be talking to who could
22 assist you in this defense or present a defense on your behalf
23 as to any of the issues in this case?

24 THE DEFENDANT: Possibly.

25 THE COURT: Can you tell the court who those people

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1 might be?

2 THE DEFENDANT: Without naming names, particularly,
3 probably people in the mental health field.

4 THE COURT: And when you talk about the people in
5 the mental health field, these would be people who could bring
6 information forward that would be mitigating in this case?

7 THE DEFENDANT: Probably.

8 THE COURT: Are there any witnesses out there who
9 were present when the crime occurred or before the crime or
10 right after the crime who could give testimony that would
11 establish your innocence in this case?

12 THE DEFENDANT: No.

13 THE COURT: So when you say there are witnesses who
14 might be of some assist in your defense, you're talking about
15 the mental health issues and explaining why you perhaps
16 committed the crime you did? Is that what you mean?

17 THE DEFENDANT: Possibly. Yes, ma'am.

18 THE COURT: Can you enlighten the court any further
19 about that?

20 THE DEFENDANT: I don't know. To me, that pretty
21 much sums it up.

22 THE COURT: Well, I don't mean to be speaking for
23 you, Mr. Dennis. I'm just trying to make sure we're
24 crystallizing the issues here.

25 THE DEFENDANT: Well, I kind of feel like if I go

1 through it any further, I might as well take it to trial
2 because what's the point.

3 THE COURT: And again, Mr. Dennis, if you want to
4 take this matter to trial, you have an absolute constitutional
5 right to do so. Have you, perhaps after going over some of
6 these issues, have you changed your position and you'd like to
7 enter a not guilty plea?

8 THE DEFENDANT: Not at this time. We keep pushing
9 on in, I might. Let's just see. Let's see how it goes.

10 THE COURT: Well, that's exactly why we do the
11 canvass, to give you every opportunity to make sure you
12 understand your position.

13 Do you understand that the State has the burden of
14 proof beyond a reasonable doubt and that you have a right to
15 remain silent, and they cannot force you to testify against
16 yourself if you choose to have a trial?

17 THE DEFENDANT: Yes, ma'am, I do.

18 THE COURT: And if you chose to have a trial, I
19 would explain to the jury what the reasonable doubt law in the
20 state of Nevada is, and I would explain to them that the
21 district attorney has a responsibility to prove the defendant
22 guilty beyond a reasonable doubt by proving each element of the
23 crime beyond a reasonable doubt, including sufficient
24 aggravating factors to support a conviction for first degree
25 murder.

1 I would explain to the jury that a reasonable doubt
2 is not mere possible doubt, but is such a doubt as would govern
3 or control a person in the more weighty affairs of life. Doubt
4 to be reasonable must be actual, not mere possibility or
5 speculation.

6 Do you understand, sir, that that would be the
7 instruction I would give the jury, and that would be the
8 standard they would be holding the State to?

9 THE DEFENDANT: Yes, ma'am

10 MS. PUSICH: Your Honor, depending upon the date of
11 trial in this matter, it's possible if it went forward after
12 July 1st the legislature will have changed that. That is a
13 bill that's pending before them now. It's my understanding
14 it's expected to pass. But it would be language that's
15 somewhat similar. It's still called reasonable doubt, but the
16 actual definition will change.

17 THE COURT: Thank you, Ms. Pusich. And that is
18 important for the record. If the state legislature enacts a
19 statute that comes into force July 1st or October 1st, whatever
20 the State mandated language for reasonable doubt, that would be
21 the instruction I would give the jury, and that would be the
22 standard the State would be held to.

23 Do you understand that, sir?

24 THE DEFENDANT: Yes, ma'am.

25 THE COURT: And additionally, I would instruct the

1 jury that they cannot infer any guilt on your part if you
2 choose not to testify at your own trial, if you were to choose
3 to have a trial. Do you understand that?

4 THE DEFENDANT: Yes, ma'am.

5 THE COURT: Has anyone made any promises or any
6 threats to get you to enter a plea of guilty today?

7 THE DEFENDANT: No, ma'am.

8 THE COURT: And can you tell me about how much time
9 you've been able to spend with your attorneys going over the
10 facts and the evidence in this case and the law that applies to
11 it?

12 THE DEFENDANT: Just as a guess, I would say
13 somewhere in the neighborhood of two and a half, three hours.

14 THE COURT: And do you think this has been enough
15 time for you to talk to your lawyer about the issues in the
16 case and look at the evidence, make a decision to enter a
17 guilty plea here?

18 THE DEFENDANT: Yeah, I believe so.

19 THE COURT: And have you had an opportunity to
20 speak with your attorney about potential motions she could file
21 to suppress confessions, suppress evidence, the mental health
22 issues you've referenced?

23 THE DEFENDANT: We haven't really gone into that.
24 Like I say, I've been pushing pretty hard for this other thing,
25 and she hasn't seen to that. So it hasn't been long

1 discussions about that. Every time she starts in on it, I
2 just, you know --

3 THE COURT: And, Mr. Dennis, again, if the court
4 accepts your plea of guilty today, then that's the end of the
5 hunt.

6 And so at this juncture, would you like a little
7 bit more time to spend with your attorney to maybe go over the
8 facts and the evidence in this case? Are there any other
9 issues or matters that maybe you might have some concern with
10 that you want to talk to her about before we go forward on the
11 plea?

12 THE DEFENDANT: No.

13 THE COURT: Ms. Pusich, could you please state for
14 the record the discovery that you've obtained where if you're
15 satisfied with the information that you've obtained from the
16 State as it relates to the prosecution?

17 MS. PUSICH: Yes, Your Honor. The State has
18 provided me with information contained in the two binders that
19 in are in front of me on the table. I guess it's about four
20 inches total of paperwork.

21 It includes at least two interviews with Mr. Dennis
22 in the presence of detectives from the Reno Police Department.
23 It includes police reports from about a dozen police officers
24 that were involved in responding to the Horseshoe Motel. It
25 includes information indicating that Mr. Dennis is in fact the

1 your best interests in mind in advising you against this course
2 of action?

3 THE DEFENDANT: Her way of looking at it, yeah.

4 THE COURT: And how much thought have you given to
5 your decision to enter this guilty plea?

6 THE DEFENDANT: Quite a bit. Quite a bit.

7 THE COURT: And are you satisfied that you've
8 thought through the issues and that this is what you want to do
9 is enter a guilty plea to first degree murder?

10 THE DEFENDANT: Yes, ma'am.

11 THE COURT: And are you satisfied with your
12 attorney's representations?

13 THE DEFENDANT: Absolutely.

14 THE COURT: And after going over all of these
15 constitutional rights, sir, do you still want to enter a plea
16 of guilty?

17 THE DEFENDANT: Yes, ma'am.

18 THE COURT: And at this time, I'm going to ask
19 Mr. Greco to tell you the elements of the crime that he will be
20 prepared to prove at trial. And then, sir, I'm going to ask
21 you to tell the court exactly what crime you committed in some
22 detail. You may proceed.

23 MR. GRECO: Your Honor, before doing that, I notice
24 on the date, I listed the 6th day or March or thereabout.
25 Based upon all of the discovery in the case, our best -- we

1 believe the death occurred on the 6th or possibly the 7th day
2 of March.

3 And so before proceeding, I would request that you
4 allow me to amend the information to read the 6th or 7th day of
5 March, 1999, or thereabout so it's a little more precise.

6 THE COURT: Is there any objection from the
7 defense?

8 MS. PUSICH: No, Your Honor, there is not.

9 THE COURT: On or about the 6th or 7th day of
10 March?

11 MR. GRECO: Yes, Your Honor.

12 THE COURT: That would be line 6, page 2 of the
13 information?

14 MR. GRECO: Your Honor, the information I am
15 looking at indicates initially it appears at line 23 on page 1,
16 and then again at line 6 on page 2.

17 THE COURT: The court has granted the State's
18 motion for interlineation. You may proceed.

19 MR. GRECO: Mr. Dennis, if this matter had
20 proceeded to trial and gone before a jury, the State would have
21 been prepared to prove beyond a reasonable doubt the elements
22 of first degree murder with the use of a deadly weapon. And
23 those are as follows:

24 That you did, on the 6th or 7th day of March, 1999,
25 or thereabouts, and before the filing of the Information, at

1 and within the County of Washoe, State of Nevada, willfully,
2 unlawfully, and with malice aforethought, deliberation and
3 premeditation, kill and murder Ilona Straumanis, a human
4 being.

5 And further, that you did use a deadly weapon in
6 the commission of the offense, specifically, that you strangled
7 the victim and that you used a belt in the commission of the
8 offense, thereby inflicting mortal injuries upon said Ilona
9 Straumanis, from which she died on or about March 6th or March
10 7th of 1999.

11 Mr. Dennis, first of all, do you understand those
12 basic elements?

13 THE DEFENDANT: Yes, sir.

14 MR. GRECO: And I want to cover two of those
15 elements for just a little bit more detail. The first of those
16 is malice. There are two different types of malice in Nevada,
17 but the one that we believe is applicable in this case is
18 express malice. And let me read that definition to you. That
19 is the deliberate intention to unlawfully take the life of a
20 fellow creature which is manifested by external circumstances
21 capable of proof.

22 And what that means, Mr. Dennis, in a fancy lawyer
23 sort of way is that you intended to kill the victim. Do you
24 understand that that's what malice means in the context of this
25 case?

1 THE DEFENDANT: Yes.

2 MR. GRECO: And the other element that I want to go
3 over in slightly more detail is premeditation and
4 deliberation. And let me read for you that definition.

5 Premeditation is the design, a determination to
6 kill, distinctly formed in the mind at any moment before or at
7 the time of the killing. Premeditation need not be for a day,
8 an hour, or even a minute.

9 If the jury believes from the evidence that the act
10 constituting the killing has been preceded by and has been the
11 result of premeditation, no matter how rapidly the
12 premeditation is followed by the act constituting the killing,
13 it is willful, deliberate, and premeditated murder.

14 And deliberate means formed or arrived at or
15 determined upon as a result of careful thought and weighing of
16 considerations for and against the proposed cause of action.

17 Do you understand that element?

18 THE DEFENDANT: I do.

19 MR. GRECO: Again, in fancy lawyer language, it's,
20 I suppose, a fancy way of saying that you thought about killing
21 her before the actual moment that you killed her.

22 Do you understand that that's what premeditation
23 and deliberation means in the common terms?

24 THE DEFENDANT: Yeah. Yeah.

25 MR. GRECO: Thank you, Your Honor.

1 THE COURT: Thank you, Mr. Greco.

2 Sir, did you commit this crime?

3 THE DEFENDANT: Yes.

4 THE COURT: Can you tell the court what makes you
5 guilty of the crime of murder in the first degree? What did
6 you do?

7 THE DEFENDANT: I committed the crime as stated.

8 THE COURT: And what did you do?

9 THE DEFENDANT: I strangled the victim. I killed
10 her.

11 THE COURT: And how long did you know the victim
12 before you committed the murder?

13 THE DEFENDANT: A couple of days.

14 THE COURT: And how did you meet the victim?

15 THE DEFENDANT: I was just on my way to a bar, and
16 I picked her up on the street.

17 THE COURT: And so you picked her up in a bar on
18 Fourth Street and then you strangled her?

19 THE DEFENDANT: No. I picked her up on the way to
20 a bar on Second Street.

21 THE COURT: And was there anything about your
22 actions that you did and what you would believe to be
23 self-defense?

24 THE DEFENDANT: No, ma'am.

25 THE COURT: And you admit the elements as explained

1 by Mr. Greco?

2 THE DEFENDANT: Yes, ma'am.

3 THE COURT: And how do you plead to this crime?

4 THE DEFENDANT: Guilty.

5 MR. GRECO: May I ask him two quick questions to
6 supplement that line of questioning, Your Honor?

7 THE COURT: You may.

8 MR. GRECO: Mr. Dennis, did you intend to kill the
9 victim?

10 THE DEFENDANT: Yes, I did.

11 MR. GRECO: And do you recall during the police
12 interview telling the police that the first moment you saw her
13 on the street you knew you might kill her because, quote, "She
14 appeared easy."

15 Do you remember saying that?

16 THE DEFENDANT: No.

17 MR. GRECO: Let me ask you this. At any time
18 before the -- do you recall talking to the police about being
19 a predator or words to that effect?

20 THE DEFENDANT: I don't recall it. But I read it
21 in the information I was given from the interrogation.

22 MR. GRECO: Do you recall telling the police that
23 prior to killing the victim, you had thought in the past,
24 thought about killing a woman before?

25 THE DEFENDANT: There again, I don't recall it.

1 But I may have said it.

2 MR. GRECO: Will you tell me, Mr. Dennis, just in
3 your own words, do you think you premeditated or deliberated,
4 in other words, thought about killing before you actually
5 killed for some period of time?

6 THE DEFENDANT: I really couldn't say for sure as
7 to my state of mind at that time. I'd been drinking a lot. I
8 don't know. I don't know.

9 MR. GRECO: Your Honor, may I pursue that a little
10 bit later when we supplement? That's all I have at the moment.

11 THE COURT: Can you state for the record what the
12 blood alcohol level was?

13 MR. GRECO: Your Honor, the interview did not occur
14 until a number of days after the murder. So, as Ms. Pusich has
15 alluded to, there was a blood alcohol level, I believe it was a
16 1.1 or a 1.2 on the day date of the interview.

17 The police reports indicate that there had been
18 drinking going on prior to the crime, although the police
19 reports also indicated that he was able to describe what had
20 occurred. So we don't know because the arrest and the contact
21 with him was not on the same day. It was several days later.
22 We cannot give you a blood alcohol level.

23 THE COURT: Is there any other information you can
24 provide the court as to what makes you believe that you're
25 guilty of the crime of first degree murder, Mr. Dennis?

1 THE DEFENDANT: I know I did it. And I know how I
2 did it. And those two components alone ought to cover that, as
3 far as I'm concerned.

4 THE COURT: Ms. Pusich, do you know of any reasons
5 why the defendant should not be permitted to maintain a plea of
6 guilty today and waive his right to a trial with a jury?

7 MS. PUSICH: Your Honor, as long as he is competent
8 and remains competent, I have agreed not to give the court my
9 laundry list of the reasons I think this is a bad decision.

10 THE COURT: And do you have any questions you'd
11 like to ask your client for the record or supplement the
12 record?

13 MS. PUSICH: No, Your Honor.

14 THE COURT: At this time, I'm going to ask the
15 district attorney if you have any questions you'd like to ask
16 to supplement the record.

17 MR. GRECO: Just one. Mr. Dennis, you heard me
18 talk about the premeditation and deliberation element, and
19 that's what makes a case, second degree murder case, go up to
20 first degree is premeditation and deliberation. Do you
21 understand that?

22 THE DEFENDANT: Right.

23 THE COURT: And so I guess what we're asking for,
24 we want to be sure that you're pleading to a crime that you in
25 fact committed. Did you think about killing or harming her at

1 some time prior to actually doing it?

2 THE DEFENDANT: Yeah. I do remember that.

3 MR. GRECO: You do remember you thought about
4 harming her or killing her before you actually did it?

5 THE DEFENDANT: Right.

6 MR. GRECO: That's all I have, Your Honor.

7 THE COURT: Mr. Dennis, do you understand, sir,
8 that if the court accepts your plea of guilty, there is an
9 automatic appeal to the Nevada Supreme Court and that can take
10 some period of time to resolve?

11 THE DEFENDANT: I understand that.

12 MR. PETTY: Just to make the record clear, if the
13 court accepts the plea and the panel imposes the death penalty,
14 there is an automatic appeal.

15 If a lesser sentence were to be imposed by the
16 panel, whether an appeal would be taken would necessitate the
17 filing of the appeal within 30 days. Only in the situation of
18 the imposition of the death penalty would there be an automatic
19 appeal. And prior to the conclusion of today's hearing, I'd
20 like to address that with the court.

21 THE COURT: And thank you for that clarification,
22 Mr. Petty. That is correct. If it would be from the point of
23 the entry of judgment and if the death penalty were imposed,
24 there would be an automatic appeal to the Nevada Supreme
25 Court. Do you understand that, sir?

1 THE DEFENDANT: Yes, ma'am.

2 THE COURT: And further, do you understand that you
3 would have 30 days within which to have briefs filed, and you
4 would have to authorize your attorneys to file those briefs.
5 And if you did not authorize them to do so, they would not be
6 representing you without your explicit authorization. And you
7 would only have that 30-day window to have briefs filed. Do
8 you understand that?

9 THE DEFENDANT: Right now, I do. But I'm sure if I
10 have questions about it later, I can bring it up to somebody.

11 THE COURT: Well, and this is an important issue.
12 And again, I'm going to invite counsel to supplement.

13 What happens is if the court accepts your plea of
14 guilty today, the Chief Justice has indicated he would be
15 setting a three-judge panel Monday, July 19th. That would be
16 set for a period of three days or however long counsel would
17 need to do the penalty phase.

18 If you received the death penalty, then there would
19 be an immediate appeal on that to the Supreme Court. But you
20 would have 30 days. There's a 30-day time to appeal. And
21 unless you tell your attorneys, "I want you to represent me.
22 Now I want to appeal this," then they won't file briefs on your
23 behalf unless you tell them that you want them to file that
24 notice of appeal. And you can do that all the way up to the
25 30th day.

1 But once that time runs, if you don't tell them
2 that you want legal representation or you want them to
3 vigorously appeal any issues then that time frame really
4 narrows your ability to appeal to higher courts or to the
5 United States Supreme Court and makes the attorney's job more
6 difficult.

7 And Ms. Pusich has explained that her office and
8 Mr. Petty stand prepared to jump in at any time if you change
9 your mind as to any of these proceedings. But there is the
10 30-day period that is very, very important for you to
11 understand.

12 Counsel, do you wish to supplement? Have I
13 explained that correctly?

14 MS. PUSICH: Your Honor, with just one minor
15 misstatement. The notice has to be filed within 30 days of the
16 judgement, and that triggers the briefing schedule. The briefs
17 aren't filed within 30 days.

18 THE COURT: Right. Thank you.

19 MR. PETTY: And I'd just add this. And just for
20 the court's benefit, if the court accepts Mr. Dennis's plea
21 today and the panel imposes the death penalty, I would request
22 the court to thereafter have another hearing with Mr. Dennis on
23 the issue whether or not he wishes to waive his right to
24 appeal.

25 If he were to not waive his right to appeal, we

1 would file the notice within 30 days and we would be able to
2 brief the issues, albeit difficult, from a three-judge panel.

3 But if the court asks him if he wishes to waive and
4 he says, "I don't wish to appeal," which he has a right to do,
5 as long as he is competent, the court then would have to enter
6 written findings of fact pursuant to an earlier Kirksey case,
7 which is found in 107 Nevada. I don't recall the page cite.
8 But it's involving 107 of Nevada Reports. That would be
9 transmitted to the Supreme Court. And then the Supreme Court's
10 review would be merely to look at the record without the
11 benefit of briefing. And that is really the difference in that
12 situation.

13 THE COURT: Thank you very much, Mr. Petty.

14 Do you have any questions about that process? And
15 again, we would revisit that if the court accepts your plea
16 today. We would revisit that at the penalty phase.

17 THE DEFENDANT: I don't have any questions about
18 it.

19 THE COURT: And again, I just want to make sure,
20 Mr. Dennis, you understand that the three judges who would
21 conduct the penalty hearing, one of those judges would be
22 myself and two other judges. I don't know who those judges
23 would be. And you understand you have no say whatsoever in who
24 the two remaining judges will be. Do you understand that?

25 THE DEFENDANT: Yes, I do.

1 THE COURT: Ms. Pusich, do you feel that you've had
2 a fair and adequate opportunity to discuss in detail with your
3 client the elements of first degree murder and possible
4 challenges you could make and defenses you could interpose?

5 MS. PUSICH: I believe I have, Your Honor. To be
6 honest, I think he gets sort of sick of seeing me, because we
7 do disagree. But we have had a sufficient opportunity to
8 discuss the issues.

9 THE COURT: And have you discussed with your client
10 the aggravating factors and possible challenges to the crime?
11 Are you satisfied that you've had an opportunity to go over the
12 discovery in this case and fully disclose to your client the
13 defenses that you think you could interpose on his behalf?

14 MS. PUSICH: I have, Your Honor. We continue to
15 receive discovery. As fast as the State gets tapes
16 transcribed, they provide them to us. But even the things that
17 I was provided today don't lead me to a conclusion that the
18 case is unprovable. I'm simply not authorized to interpose
19 defense on my client's behalf as his instruction.

20 I can't predict whether or not we would win or lose
21 at trial. There's certainly many things we can try and raise
22 on his behalf if we were authorized to do so, but we're not.

23 THE COURT: Since you've advised your client to
24 proceed to trial and not before the three-judge panel and
25 Mr. Dennis has rejected that advice, are you concerned that

1 your client's attitude and its posture in the case will
2 adversely affect your obligation to represent him at the
3 sentencing or penalty phase?

4 MS. PUSICH: No, Your Honor. It saddens me. I see
5 him as someone who could contribute to society in the future if
6 he chose to do so. But he hasn't chosen to do so.

7 THE COURT: Mr. Greco, do you wish to supplement
8 the record further?

9 MR. GRECO: Not on that issue, Your Honor. We
10 would, at some point before you get to your findings, I would
11 like to approach the court and present the guilty plea
12 memorandum that's also been executed by all parties.

13 THE COURT: Please. If you could approach at this
14 time. The record should reflect that the court has reviewed
15 the guilty plea memorandum and it's been signed by all parties
16 and will be filed into the record.

17 Additionally, before the court makes its
18 conclusion, on Exhibit 3, first paragraph, final notation, it
19 indicates, "I had a two-hour face-to-face interview with the
20 defendant at WDCD on 2-19-99."

21 I believe that is a typographical error, as the
22 defendant was arrested, I believe, on 3-11. And so I wanted to
23 make sure what he wasn't incarcerated on any other matters on
24 that date, was he?

25 MS. PUSICH: No, Your Honor. It should be March

76666

1 19th, 1999.

2 THE COURT: Is there any objection to making an
3 interlineation, a correction to this document with the
4 appropriate date? Was that the date, Mr. Dennis, March 19th,
5 1999, that you talked to Dr. Lynn?

6 THE DEFENDANT: I couldn't tell you. I have no
7 idea.

8 THE COURT: Do you believe you spoke with him in
9 February, February 19th, 1999?

10 THE DEFENDANT: Oh, no, ma'am. It had to have been
11 March. I wasn't arrested until the 9th.

12 MR. GRECO: It appears, Your Honor, he was arrested
13 on Wednesday, March 9th. So that would have been about five
14 days after he was arrested.

15 THE COURT: I understand. Then just for the
16 record, it does appear that there was a date, an error on this
17 document. And it should be March 19th rather than February
18 19th.

19 MR. GRECO: And lastly, Your Honor, while we're on
20 the plea memo, it does indicate the State is free to argue.
21 But, in fact, I've made it clear to Ms. Pusich already that the
22 State is going to argue for the death penalty. We are not
23 going to be arguing for one of the lesser alternatives.

24 Mr. Dennis, do you understand that myself, the
25 District Attorney's Office, and the State is in fact going to

1 be asking for the death penalty?

2 THE DEFENDANT: I understand.

3 MR. GRECO: Has your counsel already gone over that
4 with you?

5 THE DEFENDANT: Yes.

6 MR. GRECO: That's all I have, Your Honor.

7 THE COURT: And again, Mr. Dennis, after going over
8 all of this process, do you have any questions about any of
9 your constitutional rights or any of the issues in this case?

10 MS. PUSICH: No. No, I don't.

11 THE COURT: And I know I've previously asked you,
12 but do you still wish to maintain your plea of guilty?

13 THE DEFENDANT: Yes, ma'am, I do.

14 THE COURT: All right, sir. How do you plead as to
15 the crime of first degree murder?

16 THE DEFENDANT: Guilty.

17 THE COURT: The court finds that you have waived
18 the right to trial freely, voluntarily, and knowingly, and you
19 have a full appreciation and understanding of the waiver and
20 its consequences. The court finds that you are competent,
21 based upon your review of Dr. Lynn's report that you have the
22 level of education and intellect to understand the nature of
23 the charges against you and to assist in your own defense.

24 The court is persuaded that based upon your
25 previous involvement in the criminal justice system, the fact

1 that you have been represented through a jury trial on your
2 previous DUI charge, that you understand the nature of the
3 criminal justice process.

4 And the court is persuaded that after reviewing all
5 of your rights and the issues applicable to the crime of first
6 degree murder and the potential penalty of death that you
7 understand those issues and are competent to enter a plea of
8 guilty at this time.

9 The court has conferred with the Chief Justice of
10 the Nevada Supreme Court. We will impanel a three-judge panel
11 commencing 9:00 a.m. July 19th to commence the penalty phase of
12 these proceedings.

13 Any other matters or supplement to the record at
14 this time, Counsel?

15 MR. PETTY: No, Your Honor

16 MS. PUSICH: No, Your Honor.

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25

ER 0716

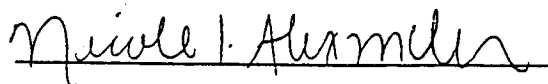
1 STATE OF NEVADA,)
2) ss.
3 COUNTY OF WASHOE.)

4 I, NICOLE ALEXANDER, Certified Court Reporter of
5 the Second Judicial District Court, in and for the County of
6 Washoe, State of Nevada, do hereby certify:

7 That I was present in the above-entitled court on
8 April 16, 1999, and took stenotype notes of the proceedings
9 entitled THE STATE OF NEVADA, Plaintiff, versus, TERRY JESS
10 DENNIS, Defendant, Case No. CR99-0611, and thereafter
11 transcribed them into typewriting as herein appears;

12 That the foregoing transcript is a full, true and
13 correct transcription of my stenotype notes of said hearing.
14

15 DATED: At Reno, Nevada, this 19th day of April,
16 1999.

17
18 

19 NICOLE ALEXANDER, CCR #446
20
21
22
23
24
25

ER 0717

WASHOE COUNTY DETENTION CENTER

EMSA/CORRECTIONAL CARE

911 PARR BLVD.

RENO, NEVADA 89512

(775) 328-2950

Fax (775) 328-2949

Date/Time: 04/15/99 - 1615

To: Leona / Judge Gary

From: Sandi

Pages: 16 pages to follow

Comments: Please fax the request from the
Judge A.S.P.



**EMSA CORRECTIONAL
+ CARE**

PROGRESS NOTES

Date/Time	Inmate Name	ID #	D.O.B.:
3-12-99	Dennis		1 / 1
<p>Slept well in R-cell Feels fairly well, but would like to restart A.D. As Prozac is not available here, we agreed to give doxepin a try. No current suicidal ideation, no obvious delusions. Feel, "people look at me b/c of the notoriety of the crime" ie he murdered someone ("a female") according to the charge. 1/4 is eager to get out of infirmary, but would like to avoid GP.</p> <p>Rec Start doxepin Move to SHU</p> <p>— Murray</p>			

Complete Both Sides Before Using Another Sheet

CC 004

FOR MENTAL HEALTH USE ONLY

ER 0721

73

EMSA CORRECTIONAL CARE

PROGRESS NOTES

Date/Time	Inmate Name:	ID #	D.O.B.:
3.11.99	Dennis, Terry	1006499	10/14/46
	<p>He reports long hx of "mood swings" starting in his adulthood, tho: Hosp'd @ WHH VA, NMH last in 1997. Multiple suicide attempts. Hospitalizations usually occasioned by S-I or H-I. He says he only drinks when he is off his meds — like last week.</p> <p>On MS, well groomed, articulate man, alert + fully oriented. Some sense of entitlement — clearly annoyed when I tell him there's no Prozac available here (he can't handle Paxil or Zoloft). No psychotic sx, no cognitive deficits. Denies suicidal ideation, but says he feels "tense". Affect euthymic. No hallucinations or thought 2/0.</p> <p>He is divorced, disabled (M.I. & back pain) x 3 yrs, from</p>		


**ASSOCIATED
PATHOLOGISTS
LABORATORIES**

 4230 Burnham Ave., Suite 250
 Las Vegas, Nevada 89119
 (702) 733-7866

 PATIENT DENNIS, TERRY
 AGE/SEX 10/14/46 M
 COLLECTED 04/08/1999 15:40
 RECEIVED 04/08/1999 21:24

 APL ROUTE
 REFERRED BY
 11347971
 MED. RECORD NO. 0006945930
 CHART NO.
 S.S. NO.

 RENODIAL 16471
 WASHOE CTY DETENTION FACILITY
 911 PARR BLVD.
 RENO, NV 89512

 TEST RESULTS LAB REFERENCE RANGE UNITS LOW NORMAL HIGH
 TITENIUS

PROFILE 104 LIVER

TEST	RESULTS	LAB REFERENCE RANGE	UNITS	LOW	NORMAL	HIGH
Alkaline Phosphatase	74	40-120	U/L		X	
ALT (SGPT)	73	3-45	U/L			X
AST (SGOT)	34	3-45	U/L		X	
Total Protein	7.7	6.0-8.0	g/dl		X	
Albumin	4.3	3.2-5.0	g/dl		X	
Globulin	3.0	1.3-3.0	g/dl			X
A/G Ratio	1.43	0.99-2.55			X	
Total Bilirubin	0.6	0.0-1.0	mg/dl		X	
Direct Bilirubin	0.1	0.0-0.3	mg/dl		X	

The minimally elevated ALT is probably without clinical significance in that the AST, alkaline phosphatase and total/direct bilirubin are all within normal limits. Transient mild elevations of ALT are not uncommon. Most are found to have normalized when a new sample is obtained and tested.

1104040F19207241 (AC49:R*)

VALPROIC ACID

0.7 * 50.0-100.0 ug/mL X

Therapeutic range for epilepsy is 50-100 ug/mL.

Therapeutic range for mood disorders is 50-125 ug/mL.

Dr T to

@

review

11u obviously not taking his VPA. Rec 0/c

[Signature]

EMSA CORRECTIONAL CARE

INITIAL MEDICAL SCREENING

ARE YOU ILL? ☐ YES ☒ NO ARE YOU INJURED? ☐ YES ☒ NO HOUSING _____ DOCKET # _____
 NAME Dennis, Jerry T.N./AKA _____
 ADDRESS _____
 SEX M DOB 10/14/46 SSN# 534448835 DATE 3/10/99 TIME 0145
 PREVIOUS COMMITMENTS 1998 LAST TETANUS (DATE) long time
 DO YOU HAVE MEDICAL INSURANCE? ☐ YES ☐ NO INSURANCE COMPANY VA

VISUAL OBSERVATION Circle Y or N (Explain all "Yes" answers)		Yes	No
ALLERGIES:			
1. Is inmate unconscious or showing visible signs of illness, injury, bleeding, pain or other symptoms suggesting the need for immediate emergency medical referral? If Yes, _____		Y	N
2. Are there obvious signs of fever, jaundice, skin lesions, rash, or infection? Needle marks? Body sores? Trauma markings, bruises? If Yes, <u>scalp dermatitis</u>		Y	N
3. Does the inmate's behavior/appearance suggest the risk of suicide or assault? If Yes, _____		Y	N
4. Does the inmate exhibit any signs of abnormal behavior? (e.g. tremors, sweating) If Yes, _____		Y	N
5. Does the inmate appear to be under the influence of, or withdrawing from drugs or alcohol? If Yes, <u>beer, vodka, some</u>		Y	N
6. Is the inmate's mobility restricted in any way due to deformity, cast, injury, etc? If Yes, _____		Y	N
7. Does the inmate have a persistent cough or appear to be lethargic? If Yes, _____		Y	N
INMATE QUESTIONNAIRE Circle Y or N (Explain all "Yes" answers)		Yes	No
8. Are you taking medication for: (circle as appropriate) asthma, diabetes, heart condition, high blood pressure, mental health problems, ulcers, arthritis, or other condition? If Yes, what medication? <u>Prozac 10mg qd Depakote 500 am & pm</u>		Y	N
9. When were you last seen by a physician or at a clinic for a physical, dental or mental health condition? <u>2/99</u>		Y	N
10. Are you allergic to any medications, foods, plants, etc? If Yes, _____		Y	N
11. Have you fainted or had a head injury within the last 72 hours? If Yes, _____		Y	N
12. Do you have or have you been exposed to AIDS (hepatitis, TB, VD, or other communicable diseases)? Have you experienced lethargy, weakness, weight loss, loss of appetite, fever or night sweats? If Yes, <u>C</u>		Y	N
13. Have you been hospitalized by a physician or psychiatrist within the last year? If Yes, <u>inpt - suicidal VA West Hills</u>		Y	N
14. Have you ever considered or attempted suicide? If Yes, <u>a few years ago Depression -</u>		Y	N
15. Do you have a painful dental condition? If Yes, _____		Y	N
16. Are you on a specific diet prescribed by a physician? If Yes, _____		Y	N
17. Do you use drugs and/or alcohol? What kind? <u>Drugs free since Nov 98</u> How often? _____ How much? _____ If Yes, include types, methods, date/time of last use and problems associated with ceasing use. (e.g. convulsions) <u>ETOH qd x 1 wk</u>		Y	N
18. Females: Last menstrual period _____ Are you pregnant, on birth control pills, recently delivered or aborted? If Yes, _____		Y	N

PLACEMENT RECOMMENDATION (Check One)

☐ Emergency Room ☒ General Population ☐ Infirmary ☐ Isolation ☐ Observation ☐ Sick Call _____ (Date/Time)

REMARKS:

151 #

I have answered all questions truthfully. I have been told and shown how to obtain medical services. I hereby give consent for professional services to be provided to me by and through EMSA Correctional Care.

X Jerry J. Johnson 3/10/99
Inmate Signature Date

Respiration <u>18</u>	Pulse <u>72</u>	Temp <u>98.6</u>	Blood Pressure <u>102/80</u>	Nurse Signature <u>Haney Culbertson</u>	Date <u>3/10/99</u>
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CC 048

03/10/1999

Washoe County Detention Facility
Indigent Inmate Eligibility Evaluation Report

BOOKING NUMBER: 1006499 INMATE NAME: DENNIS, TERRY JESS
 EVALUATION DATE: 03/10/1999 MARRIED: N
 BIRTH DATE: 10/14/1946 SEX: M
 PROVIDE FINANCIAL DATA: Y INDIGENT STATUS: N
 REEVALUATION DATE: TOTAL NUMBER OF FAMILY MEMBERS: 0

MAXIMUM ALLOWED INCOME	TOTAL ACTUAL INCOME	MAXIMUM ALLOWED ASSETS	TOTAL ACTUAL ASSETS
\$813.00	\$891.00	\$300.00	\$0.19

SPOUSE'S NAME: SPOUSE'S BIRTH DATE:
 INMATE'S EMPLOYER: DISABLED
 OTHER INCOME SOURCE:
 SPOUSE'S EMPLOYER:
 INMATE'S MONTHLY WAGES: \$0.00
 SPOUSE'S MONTHLY WAGES: \$0.00
 SOCIAL SECURITY INCOME: \$891.00 (I-INMATE, S-SPOUSE, J-JOINT): I
 V.A. BENEFITS: \$0.00 (I-INMATE, S-SPOUSE, J-JOINT):
 ALL OTHER INCOME: \$0.00 (I-INMATE, S-SPOUSE, J-JOINT):
 PROPERTY (O-OWNED, B-BUYING, R-RENTING, N-NO PROPERTY): R
 PROPERTY LOCATION: LAKE ST MOTEL
 TOTAL NUMBER OF VEHICLES: 0 ARE ANY OF THESE RECREATIONAL VEHICLES <Y/N>: N
 PROPERTY VALUE:
 VALUE OF EXTRA VEHICLES:
 RECREATIONAL VEHICLE VALUE:
 CASH BALANCE AT EVALUATION: \$0.19
 LIFE INSURANCE EQUITY:
 SAVINGS ACCOUNT BALANCE: \$0.00 (I-INMATE, S-SPOUSE, J-JOINT):
 CHECKING ACCOUNT BALANCE: \$0.00 (I-INMATE, S-SPOUSE, J-JOINT):
 PERSONAL PROPERTY BALANCE: (I-INMATE, S-SPOUSE, J-JOINT):
 ANNUITIES BALANCE: \$0.00 (I-INMATE, S-SPOUSE, J-JOINT):
 INVESTMENT BALANCE: \$0.00 (I-INMATE, S-SPOUSE, J-JOINT):
 MEDICARE <Y/N>: Y HEALTH INSURANCE: MEDICARE

STATEMENT OF APPLICATION

In accordance with NRS 241.242 and under penalty of perjury, I declare that all information provided herein is true and correct.

Name: Terry J. Dennis

Date: 3-10-99

SOCIAL SERVICES MEDICAL AUTHORIZATION

You are hereby authorized to furnish to the Washoe County Department of Social Services, or to any of its representatives, any and all information requested by them to include medical information only as necessary to determine eligibility for the county's indigent health program. I understand that once the requested information has been released, the Washoe County Sheriff's Office, EMSA Correctional Care, and its employees can no longer be held accountable for the released information. I further hereby release the Washoe County Sheriff's Office, EMSA Correctional Care, and its employees of all responsibilities and liability that may arise in compliance with this authorization.

Name: Terry J. Dennis

Date: 3-10-99

REFUSAL ACKNOWLEDGMENT

In accordance with NRS 211.246, I hereby declare that I completely understand that willfully refusing to cooperate with the determination of my financial status, that I may not receive a reduction of or a credit on my term of imprisonment and I will still receive a written demand for reimbursement for the expenses incurred for my maintenance and support during my period of imprisonment. I understand that at any time after my refusal I can change my mind and cooperate with the determination of my financial status.

Name: _____

Date: _____

EMSA CORRECTIONAL CARE

PHYSICIAN'S ORDERS

<p>INMATE NAME:</p> <p>ID #:</p> <p>D.O.B. / /</p> <p>ALLERGIES:</p> <p>Use Last Date / /</p>	<p>DIAGNOSIS (If Chg'd)</p>
<p>INMATE NAME:</p> <p>ID #:</p> <p>D.O.B. / /</p> <p>ALLERGIES:</p> <p>Use Fourth Date / /</p>	<p>DIAGNOSIS (If Chg'd)</p>
<p>INMATE NAME:</p> <p>ID #:</p> <p>D.O.B. / /</p> <p>ALLERGIES:</p> <p>Use Third Date 4/13/99</p>	<p>DIAGNOSIS (If Chg'd)</p> <p>DC Valproate</p> <p>Noted J. Williamson</p>
<p>INMATE NAME: Dennis Terry</p> <p>ID #: 1006499</p> <p>D.O.B. / /</p> <p>ALLERGIES:</p> <p>Use Second Date / /</p>	<p>DIAGNOSIS (If Chg'd)</p> <p>Selsun Blue Shampoo (KAYKOP)</p> <p>HC cream 0.1% effly to affected areas</p> <p>Bid</p> <p>To: DR Williamson / Estanek</p>
<p>INMATE NAME: Dennis, Terry</p> <p>ID #: 1006499</p> <p>D.O.B. 10/14/46</p> <p>ALLERGIES: NKA</p> <p>Use First Date 4.7.99 4/</p>	<p>DIAGNOSIS</p> <p>Please get VPA level, LFTs</p> <p>Renew valproate 500 mg po BID</p> <p>doxapin 50 mg po HS</p> <p>Noted J. Williamson</p>

CC 022

ER 0727

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EMSA CORRECTIONAL CARE

PHYSICIAN'S ORDERS

INMATE NAME: Dennis, Terry ID #: D.O.B. / / ALLERGIES: Use Last Date 3.19.99	DIAGNOSIS (If Chg'd) Selac Blue Shampoo HC 0.5% Cream apply to affected area 2x/day x 30d per protocol penicillin noted 3/19/99 1420
INMATE NAME: Dennis, Terry ID #: D.O.B. / / ALLERGIES: Use Fourth Date 3.12.99	DIAGNOSIS (If Chg'd) Doxepin 50 mg po qts x 30d DK from infirmary - Rec <u>NOT</u> CP Noted 3/12/99 1420
INMATE NAME: Dennis, Terry ID #: D.O.B. / / ALLERGIES: Use Third Date 3.11.99 3/11	DIAGNOSIS (If Chg'd) DC S00/W, move to R-cell Noted 3/11/99 1420
INMATE NAME: Dennis, Terry ID #: D.O.B. / / ALLERGIES: Use Second Date 3.11.99 3/11	DIAGNOSIS (If Chg'd) Valproate 500 mg po BID x 30 UPA - level ? LET 3-16-99 Noted 3/11/99 1420
INMATE NAME: Dennis, Terry ID #: 1006499 D.O.B. 10/14/46 ALLERGIES: NKA Use First Date 3.10.99	DIAGNOSIS Admit infirmary Williams MD / Tuckers

**EMSA CORRECTIONAL
CARE****REFUSAL OF TREATMENT FORM**Institution: WCDFName: TERRY DENNISID# 1006499D.O.B. 10-14-46I, TERRY J. DENNIS
(Name of Inmate)have, this day, 4-4-99 knowing that I have a condition

requiring medical care as indicated below:

- | | |
|---|---|
| <input checked="" type="checkbox"/> A. Refused medication. | <input type="checkbox"/> E. Refused X-Ray services. |
| <input type="checkbox"/> B. Refused dental care. | <input type="checkbox"/> F. Refused other diagnostic tests. |
| <input type="checkbox"/> C. Refused an outside medical appointment. | <input type="checkbox"/> G. Refused physical examination. |
| <input type="checkbox"/> D. Refused laboratory services. | <input type="checkbox"/> H. Other (Please specify) |

Reason For Refusal DON'T WANT TO TAKE MEDS. DON'T
FEEL THEY ARE NEEDED. AS OF 4-4-99.

Potential Consequences Explained _____

I acknowledge that I have been fully informed of and understand the above treatment recommendations and the risks involved in refusing them. I hereby release and agree to hold harmless the state, statutory authority, all correctional personnel, medical/health personnel from all responsibility and any ill effects which may result from this refusal and I shall personally assume responsibility for my welfare.

I have read this form and certify that I understand its contents.

Witness Signature _____

Witness Signature _____

Patient Signature Terry J. Dennis

Date _____

Time _____

NOTE: A refusal by the inmate to sign requires the signatures of at least one witness in addition to that of the medical staff member.

05/10/1999 10:11 0830 Age: 52
VD#: 379799
Med. Allergies: NKDA
Current Meds: Depakote, Sinequan

EMSA CORRECTIONAL CARE
PATIENT PROTOCOLS

DERMATITIS (RASHES) Subacute Dermatitis
Selsun gold shampoo;

Subjective: Onset: 10 years ☐ new ☒ chronic ☐ constant ☐ recurs
Known allergies: peeling
Anatomic Location: face, genital ☒ itching ☐ burning ☒ redness ☐ swelling
☒ flaking ☒ weeping ☐ pustules ☐ white/patchy ☐ lice/scabies/nits
Associated symptoms: ☐ none ☐ tongue swelling/throat closing ☐ fever
☐ difficulty breathing ☐ upper respiratory symptoms
Recent environmental contacts: _____
History of new medication: _____
Recent exposure to communicable disease: ☐ no ☐ yes: _____

Objective: Vital Signs: Temp. _____ Pulse: _____ Resp. _____ B/P _____
Exam: Lesions: ☐ no ☒ yes color: red ☐ coalesced ☐ weeping
☒ dry ☐ vesicles ☐ macules ☐ papules ☒ scales ☐ scabs peeling
☐ lice/scabies/nits ☐ bleeding ☐ signs/symptoms of infection
List of new meds/exposure/contacts: 0
HIV status: 0
Associated symptoms: ☒ none ☐ upper resp. symptoms (URI) ☐ UTI
☐ allergic reaction symptoms

<u>Assessment Decision: Findings Requiring Referral</u>	<u>Findings Not Requiring Referral</u>
<input type="checkbox"/> New med., exposure, contacts	<input type="checkbox"/> Minor rashes that will likely respond to OTC preparations
<input type="checkbox"/> Recurrent	<input type="checkbox"/> Minor razor "bumps"
<input type="checkbox"/> Temp 100 or >	
<input type="checkbox"/> Signs of infection	
<input type="checkbox"/> Unfamiliar lesions	
<input type="checkbox"/> Systemic symptoms; (URI/UTI/allergic reaction)	
<input type="checkbox"/> HIV +	

Plan: ☒ Refer To: MD to Eval Date: 3/19/99
☐ Order written for SC if scheduled.
☐ Meds given per approved OTC med list: ☐ calamine lotion ☐ hydrocortisone cream
☒ Return if no improvement within 72 hours or condition worsens.
☒ Instructions to avoid scratching/touching affected area(s).
☐ Immediate isolation for contagious conditions. (communicable)
Other: Selsun blue Shampoo
Hydrocortisone Cream

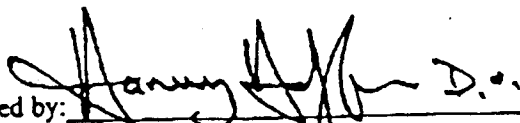


Dermatitis (rashes)

Nurses signature

Nurses name (printed)

This protocol has been approved by:


Harvey Hoffman, DO
Regional Medical Director

3/25/98
Date

WASHOE COUNTY SHERIFF'S OFFICE
SPECIAL POSSESSION AUTHORIZATION FORM

Inmate Name: Dennis, Terry Booking #: 1006499
Housing Unit #: 4 Cell #: A10 Date Issued: 3-19-99

THIS AUTHORIZATION EXPIRES 30 DAYS FROM DATE OF ISSUE
NOT TO EXCEED 30 DAYS
(the inmate must make any requests for extensions)

Special possession item needed and why:

Selsin Blue Shampoo - may KOP
HC cream - apply to affected area 2x/day
may KOP one tube

Inmate: Keep this form with you as long as you are authorized to keep the Special Possession Item. If you do not have this form, the item will be considered contraband and removed, and you will be subject to disciplinary action.

Authorizing Signature: Chase EW Title: _____

MEDICAL SERVICES INVOICE

I understand that a Medical Access Fee and/or a Medication Fee will be deducted from my cash account. I understand that fees may be collected at a later date if funds are not currently available. If I do not have sufficient funds to pay, and money is deposited to my cash account, the amount I owe for these services will be deducted before any funds are available to me. Medical care will not be denied because of inability to pay at the time the health care is provided.

Print Name TERRY J. DENNIS Booking # 1006499 Date of Birth 10-14-46

Housing Unit # 4 Cell # A-10 SSN 534-44-8825 Date 3/17/99

\$5.00 Medical Access Fee ☐

\$3.00 Medication Fee ☐

Federal Inmate ☐

\$3.00 Medication Renewal Fee ☐

HISTEP Inmate ☐

\$2.00 Duplicate Fee ☐

Inmate Signature Terry J. Dennis Medical Staff Initials _____ Date of Service _____

I consent to be treated by health staff for the condition described below:

Nature of problem or request: I HAVE SEBORRHEIC DERMATITIS ON SCALP, WHERE I SHAVED OFF BEARD, AND ON THE HEAD OF MY PENIS. I WOULD LIKE TO HAVE ACCESS TO AT LEAST SOME HYDROCORTISONE CREAM UNTIL IT CLEARS UP ON FACE AND PENIS.

PLACE THIS SLIP IN THE MEDICAL BOX
LOCATED IN YOUR HOUSING UNIT

THANK YOU.

3/19/99
Triage Nurse Initials

DO NOT WRITE BELOW THIS LINE

HEALTH CARE DOCUMENTATION

Subjective:

Objective: BP _____ P _____ R _____ T _____

Assessment:

Plan:

Refer to: _____ P/A Physician _____ Mental Health _____ Dental _____

Signature: _____ Title: _____ Date: _____ Time: _____

EMSA CORRECTIONAL CARE

PROGRESS NOTES

Date/Time	Inmate Name:	ID #	D.O.B.:
3/10/99 0230	Dennis Jerry	ID # 1006499	D.O.B.: 10 14 1966
	<p>associated symptoms, i.e. Chest pain, SOB, etc. — (p) Inhaled & Lt & Rgt will place in camera cell. in infirmary due to nature of crime. & SW watch, i.e., allow Mattress, blanket, gold suit. — Refer to CMH for meds, observe tomorrow for HT ETOH w/d ex. —</p> <p>1/m states & seizes activity, just has diarrhea & stomach cramps on occasion + "shakes".</p> <p>— Culbertson</p>		
3/10/99 0420	<p>pm arrives from Intake Ambulatory & steady gait. cooperative with reg + deputy. stuff placed in SW-3 with comfort measures once in cell pm had dry heave & 2 flushes and then off to sleep until on meal. glasses worn on arrival. 1st hemon acted to hands</p> <p>Blaney</p>		

EMSA CORRECTIONAL CARE

PROGRESS NOTES

Date/Time	Inmate Name:	ID #	D.O.B.:
3/10/99 0230	Dennis Jerry	1006499	01/14/46
	<p>① I'm here on murder charges. "Allegedly strangled & @ motel & then called police. "I talked to detectives x 2 hr, that's why I'm here so late" - States has not taken Depakote & Xanax x 1 week & drinking beer & vodka instead. "I just got pissed off, can't blame what I did totally on alcohol! I can handle it!" & He states he was in Lens VA, released in January - He allegedly told them he felt like killing someone "but they didn't believe me" - Has been in West Hill in part for depression. States is on Depakote 500 mg bid + Xanax 40 mg daily. "I'm bipolar, & antisocial" - Denies suicidal intent or thoughts altho has had a suicide attempt "a few years ago." -</p>		
	<p>② Has been drinking beer & vodka x 1 week (& med) - Has tremors of hands but BP 102/80 p 72 - Apical pulse irregular, Rb atrial fibrillation "Doc had irregular heart beat before, denies any</p>		

CC 003

(Cont) & Culbert LP

575

04/10/1955 10:11 17 0202543

ALLERGY	NKA				NURSE'S SIGNATURE <i>Heard</i>	INITIAL <i>HA</i>
CHARGES						
PHYSICIAN NAME	Dr. Thompson		PHYSICIAN PHONE NO.		NURSE'S SIGNATURE <i>Heard</i>	INITIAL <i>HA</i>
FACILITY NAME	WCDF	SECTION	R	ROOM NO.		
PATIENT NAME	Dennis, Terry			PATIENT NO.	1006499	

PHARMACY SUGGESTIONS/RECOMMENDATIONS DO NOT SUPERCEDE PHYSICIAN ORDERS



SECOND JUDICIAL DISTRICT COURT

JANET J. BERRY
DISTRICT JUDGE
DEPARTMENT ONE

STATE OF NEVADA
WASHOE COUNTY

75 COURT STREET
RENO, NEVADA 89501
(702) 328-3171

April 15, 1999

Via Fax 328-2949

Medical Records
Washoe County Jail

Dear Sandy:

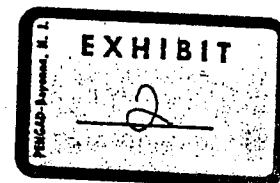
I need to have the medical records of inmate Terry Jess Dennis. Mr. Dennis is to be arraigned tomorrow at 2:30 pm. In view of the immediacy of the hearing, I would appreciate your faxing the records directly to my office at 328-3170.

Should you have any questions, please don't hesitate to call my Administrative Assistant, Leona Quilici. Thank you.

Sincerely yours,

Janet J. Berry

JJB/lq



Edward J. Lynn, M.D., C.D.

Fellow American
Psychiatry Association

Diplomate American Board
Psychiatry and Neurology

411 North Division Street
Carson City, Nevada 89703-4102
Tel (775) 882-7770
Fax (775) 882-7294

March 24, 1999

Mazie Pusich, Esq.
Washoe County Public Defender
PO Box 30083
Reno, NV 89520

RE: Terry Dennis

At your request, I performed a psychiatric evaluation of your client, Mr. Dennis. This consisted of a review of documents submitted (jail meeting with Mazie Pusich on 3/11/99), Criminal complaint 4/3/99, Affidavit in Support of Complaint and Warrant of Arrest 3/31/97, order for Involuntary Admission (dismissed) 2/12/97; and a number of applications for involuntary admission 2/8/96, 6/13/96, 6/14/96, 6/9/96, 6/18/96, 8/22/95, 8/23/95, 8/21/95, 8/19/95. I also implemented and evaluated the Zung Measures of Depression and Anxiety, the Minnesota Multiphasic Personality Inventory (MMPI), the DSM IV and Owens Criteria for ADHD, and the Michigan Alcohol Survey Test (M.A.S.T.). I had a 2 hour face-to-face interview with the defendant at the WCDC on 2/19/99.

This 52 year old divorced father of one, well understood the purpose of my visit. He notes, "I waive all rights. I already confessed and plead guilty and don't want to waste the taxpayer's money. As far as I'm concerned they can put me on death row right now." He's been in prison on two occasions for 4 ½ years total, has done "a lot" of jail time and knows what it's like to be incarcerated. He has no wish to spend any more time, let alone life, in prison and claims he is comfortable with being executed. He desires that his attorney honor his wishes. He fully understands the charges against him and the consequences of his admission of guilt. He knows whom his attorney is and what she is trying to do for him. He is fully cognizant of the role of the other court principles (Judge, Jury, District Attorney, Bailiff, and Witnesses) and knows who the defendant is as well as who the plaintiff is. He also can define arraignment, charges, conviction and sentencing.

He openly describes his abuse of alcohol, and previous criminal behaviors surrounding the instant offense. Although he was intoxicated at the time, he claims he did not black out any of the incident. After the admitted strangling, he called "911" to report the event and was arrested 3/9/99. He claims that after his victim died, he drank some more and has no misgivings about the killing, feeling he was "doing her a favor." He also claimed, "I would probably do it again."

ER 0740

He describes a harsh upbringing by his adoptive parents. He was sexually abused by his mother and her alcoholic brother and physically abused by his father. He always heard, "You'll never amount to anything." He had difficulties in high school and was suspended several times for skipping and smoking. Drinking began in high school. After graduating and working for a few months, he enlisted in the USAF. While stateside he attempted suicide, after the girl he got pregnant wouldn't marry him. He was hospitalized for one month, retained by the military and subsequently served in Thailand and Vietnam, where he worked as a non-combatant (clerk typist). Some time later he was diagnosed with PTSD (from his childhood abuse), and has also been diagnosed with Bipolar II Disorder. He's had several bouts of depression requiring hospitalization. In 1994 in Seattle, 1995 at NMHI, twice at West Hills and the Reno VAMC in 1998. He has been on a number of antidepressants and mood stabilizers and claims, "Prozac worked the best." He is currently being medicated with Sinequan (Doxepin) which helps him sleep but doesn't affect his depression, and with Depakote.

He has been "in and out" of AA for years and admits to four DUIs and occasional blackouts. He also suffers from Hepatitis C as a consequence of I.V. drug abuse (coke, crank) in the past. He also has facial seborrhea.

He has been married and divorced 3 times. He has a 23 year old son with whom he's had no contact for the past 5 years. He has been on SS Disability for "mental and a bad back."

Little is known about blood relatives. His birth mother died of TB and his father "did time for embezzling."

On exam he presents as a well developed, well nourished, white male with a red rash on his lower face. He wears glasses, is balding, graying, and has a mustache. He has a tattoo on his left upper arm of a Libra sign over a heart (homemade).

He is ~~pleasant and cooperative and seemingly forthright.~~ He is dressed in jail garb and is well groomed. Speech and motor functions are normal. His ~~effect is~~ ~~somewhat flat and his mood is depressed.~~ Thinking is undisturbed. There is no evidence of hallucinations or delusions. He is oriented in all spheres, has no apparent defects in attention, concentration or memory and can think abstractly. His vocabulary suggests at least average intelligence. He answers all questions appropriately and rationally.


The Zung Measure of Depression Score is 65 (moderate to severe) and that of anxiety is 35 (not clinically anxious). The ~~M.A.S.T. score is 41~~ (>5 = alcoholism). The DSM IV barely meet the criteria for ADHD. Highest scores are for impulsivity.

His MMPI was valid and indicates a ~~severe psychological disorder as well as antisocial features.~~ His antisocial behavior may be a primary consideration. ~~Addiction~~ ~~proneness is high.~~ Social relationships are likely to be stormy and trouble-filled. He has a poor self-concept and is insecure and distrustful. Problems with impulse control are

likely. Such individuals are viewed as angry, irritable and resentful and they typically act out in antisocial ways. He is prone to experience depression.

My conclusion is that ~~although he is clinically depressed, he is still competent.~~
He clearly understands the charges against him and he is fully capable of assisting his attorney in the preparation of his defense.

Respectfully submitted,


Edward J. Lynn, MD

EJL:CC

ER 0742

**CERTIFIED
COPY**

FILED

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON

IN AND FOR THE COUNTY OF SNOHOMISH

THE STATE OF WASHINGTON, COUNTY CLERK
SNOHOMISH CO. WASH.

Plaintiff

No.

vs.

70 1 00047 1

INFORMATION

TERRY JESS DENNIS,

Defendant(s)

Russ Juckett

Comes now ~~Russ Juckett~~ Prosecuting Attorney for the County of Snohomish State of Washington, and by this, his Information, charges and accuses the above-named defendant(s) with the following crime (s) committed in Snohomish County, Washington.

Assault in the Second Degree, a felony, committed on or about the 5th day of December, 1978, as follows, to-wit:

The above-named defendant did wilfully, unlawfully and knowingly assault one Barbara Prosser and did knowingly inflict grievous bodily harm upon said Barbara Prosser, said defendant being armed with a deadly weapon as defined by RCW 9.95.040; proscribed by RCW 9A.36.020(1)(b) & (c), a felony

contrary to the peace and dignity of the state of Washington.

RUSS JUCKETT
Prosecuting Attorney

John F. Segelbaum
JOHN F. SEGELBAUM
Deputy Prosecuting Attorney

STATE OF WASHINGTON }
COUNTY OF SNOHOMISH } ss.

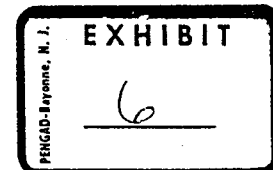
I, PAM L. DANIELS, Clerk of the above entitled Court, do hereby certify that the foregoing instrument is a true and correct copy of the original now on file in my office.

In witness whereof, I hereunto set my hand and the Seal of said Court this

day of MAR 24 1999

PAM L. DANIELS, County Clerk

[Signature] Deputy



White Copy: Court File
Canary Copy: Defendant's Copy
Pink Copy: Prosecutor's Copy - RETAIN IN FILE
Goldend Copy: Defense Attorney's Copy

915

STATE OF WASHINGTON)
COUNTY OF SNOHOMISH) ss.

John F. Segelbaum, being first duly sworn on oath, deposes and says: that affiant is a duly appointed, qualified and acting Deputy Prosecuting Attorney for Snohomish County and makes this verification in that capacity; that affiant has read the foregoing Information, knows the contents thereof, and believes the same to be true.

John F. Segelbaum
SUBSCRIBED and SWORN to before me this 2nd day of February, 19 79.

KAY D. ANDERSON

County Clerk for the County of
Snohomish, State of Washington

(SEAL)

By: Meda Edmonds
Deputy Clerk

STATE'S WITNESSES:

Barbara Prosser
3512 Lombard
Everett WA

Jeanne Johnson
3518 1/2 Lombard
Everett WA

Officer Betts
Everett P.D.

Dr. Wyrens
Providence Hospital

CERTIFIED
COPY

FILED
FEB 22 11 35 AM '79

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF SNOHOMISH

ROBERT E. SCHILLBERG, PROSECUTING ATTORNEY
COUNTY OF SNOHOMISH, WASH.
Plaintiff

vs.

TERRY JESS DENNIS,
Defendant(s)

No. 79-1-00047-1

AMENDED
INFORMATION

Comes now Robert E. Schillberg, Prosecuting Attorney for the County of Snohomish State of Washington, and by this, his Information, charges and accuses the above-named defendant(s) with the following crime (s) committed in Snohomish County, Washington.

Assault in the Second Degree, a felony, committed on or about the 5th day of December, 1978, as follows, to-wit:

The above-named defendant did wilfully, unlawfully and knowingly assault one Barbara Prosser and did knowingly inflict grievous bodily harm upon said Barbara Prosser; proscribed by RCW 9A.36.020(1)(b) & (c), a felony,

contrary to the peace and dignity of the State of Washington.

RUSS JUCKETT
Prosecuting Attorney

Carl K. Chen
CARL K. CHEN
Deputy Prosecuting Attorney

White Copy: Court File
Green Copy: Defendant's Copy
Pink Copy: Prosecutor's Copy - RETAIN IN FILE
Goldendust Copy: Defense Attorney's Copy

ER 0747

7
93

STATE OF WASHINGTON)
COUNTY OF SNOHOMISH) ss.

CARL K. CHEN, being first duly sworn on oath, deposes and says: that affiant is a duly appointed, qualified and acting Deputy Prosecuting Attorney for Snohomish County and makes this verification in that capacity; that affiant has read the foregoing Information, knows the contents thereof, and believes the same to be true.

Carl K. Chen

SUBSCRIBED and SWORN to before me this 22 day of February, 1979.

KAY D. ANDERSON

County Clerk for the County of
Snohomish, State of Washington

(SEAL)

By: Ellen Wunsche
Deputy Clerk

STATE'S WITNESSES:

(As previously listed)

STATE OF WASHINGTON }
COUNTY OF SNOHOMISH } ss.

I, PAM L. DANIELS, Clerk of the above entitled Court, do hereby certify that the foregoing instrument is a true and correct copy of the original now on file in my office.

In witness whereof, I hereunto set my hand and the Seal of said Court this

day of MAR 24 1999 19

PAM L. DANIELS, County Clerk

M. Perkins Deputy

PA-18

law

ER 0748

DATE OF PSI 4-25-79

PRESENTENCE REPORT IS FILMED
SEPARATELY ON CONFIDENTIAL FILM
SEE JUDICIAL RECORDS CLERK
FOR VIEWING INSTRUCTIONS

ER 0749

95 

SHERIFF SNOHOMISH COUNTY Change of Plea

By M. Lee Deputy

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON

IN AND FOR THE COUNTY OF SNOHOMISH

CLERK
SNOHOMISH CO. WASH.

CALENDAR
EXECUTION 70846
JULY 27 1979

THE STATE OF WASHINGTON,

Plaintiff

vs.

TERRY JESS DENNIS,

Defendant

N O . 79-1-00047-1

**CERTIFIED
COPY**

JUDGMENT AND SENTENCE

On February 21, 1979 came Carl K. Chen
Deputy Prosecuting Attorney, and the defendant, Terry Jess Dennis
was brought before the Court, having been charged with the crime of
Second Degree Assault, committed on or about the 5th
day of December, 1978, in Snohomish County, Washington.

A copy of the information of record was handed and read to the
defendant in open Court. The Court informed the defendant of his
right to counsel, and that if he was unable by reason of poverty to
employ counsel, such would be assigned to him by the Court at public
expense. Counsel was appointed by the Court for the defendant.

On February 21, 1979 the defendant appeared before the
Court with his counsel, Steven Conroy. The Court interro-
gated the defendant as to his true name and whether he understood the
nature of the charge against him, and the defendant replied that his
true name was Terry Jess Dennis, that he understood the nature
of the charge against him and was ready to plead. The defendant then
entered a plea of not guilty, and a trial date was set.

On February 27, 1979 the defendant again appeared before
the Court with his counsel. The Court granted the defendant permission
to withdraw his plea of not guilty and enter a plea of guilty to the
crime of Second Degree Assault as charged in the Amended
information. The defendant then entered a plea of guilty. A pre-
sentence investigation was ordered.

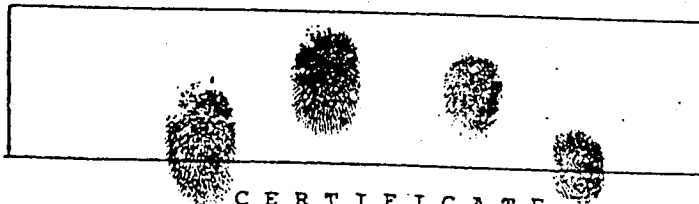
On April 25, 1979 the defendant appeared with his
counsel, Steven Conroy, for sentencing. It appearing to
the Court that the plea of guilty was entered without threats or
promises, and that upon his plea the defendant is guilty of the crime

ER 0750

92050

9611

RIGHT FOUR FINGERPRINTS TAKEN SIMULTANEOUSLY OF
DEFENDANT Terry J. Dennis
(Signature)



C E R T I F I C A T E

I, Kay D. Anderson, County Clerk and Clerk of the Superior Court of the State of Washington, in and for the County of Snohomish, do hereby attest that the fingerprints affixed above on this document are the fingerprints of the defendant's right hand and were affixed by the said defendant Terry J. Dennis on the 25th day of April, 1979, in my presence.

KAY D. ANDERSON
Snohomish County Clerk

BY Randall Ted. Schmed
Deputy Clerk

ER 0751



IT IS HEREBY ORDERED, ADJUDGED and DECREED that the defendant is guilty of the crime of Second Degree Assault and that he be punished therefor by imprisonment in such correctional institution under the supervision of the Department of Social and Health Services, Division of Institutions, as shall be designated by the Secretary of the Department of Social and Health Services, for a maximum term of ten (10) years.

1. The defendant shall report to the Department of Social and Health Services, Division of Institutions, Adult Probation and Parole, or such officer as the Department shall designate, and follow implicitly the instructions of said Department or its agent, and such rules as said Department shall promulgate for the conduct of said defendant during the term of probation.

3. The defendant shall ____ pay attorney's fees. Fees, if required to be paid, shall be computed by the Department of Assigned Counsel. Fees shall be paid within _____

5. The defendant shall serve sixty (60) days in the Snohomish County Jail on Work Release, if eligible. The defendant shall commence serving at 9:00 a.m. on 9.19.79. OKC

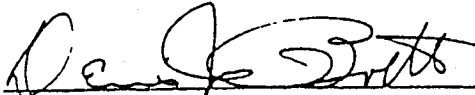
7. The defendant shall participate and complete any alcohol counseling program(s) as directed by his Probation Officer, and to include monitored antabuse if the Probation Officer or alcoholism counselor feels it is necessary.

78

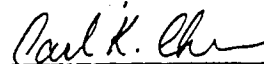
8. The defendant shall pay full restitution to Mrs. Barbara Prosser for all medical and related costs as a result of this assault and all provable wage loss sustained as a result of Mrs. Prosser's injuries.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the appearance bond or bail, if such has been required in this cause, and if not previously forfeit, is exonerated, and the Clerk of Court is authorized to release such to the appropriate person or persons.

DONE IN OPEN COURT this 1st day of June, 1979.


DENNIS J. BRITT, JUDGE

Presented by:


CARL K. CHEN
Deputy Prosecuting Attorney

Copy received and
approved for entry:


STEVEN CONROY
Attorney for Defendant

Copy received:

(waived presence at signing)
TERRY JESS DENNIS
Defendant

ER 0753



ORDER OF COMMITMENT

THE STATE OF WASHINGTON to the Sheriff of the County of Snohomish, State of Washington,
GREETING:

WHEREAS, TERRY JESS DENNIS <sup>KAY D. ANDERSON
COUNTY CLERK
SNOHOMISH CO. WASH.</sup> has been duly convicted of the
crime of Second Degree Assault

and judgment has been pronounced against said defendant that punishment therefor be by
imprisonment in the Snohomish County jail for a period of sixty (60) days in the
Work Release Program, if eligible; to commence 9:00 a.m. on 9/19/79;
all of which appears of record in this court; a certified copy of said judgment being endorsed
hereon and made a part hereof, Now Therefore,

THIS IS TO COMMAND YOU, the said Sheriff, to detain the said defendant pursuant
to the terms of said judgment and sentence.

FURTHER, THIS IS TO COMMAND YOU that should said judgment and sentence
authorize the release of said defendant to a Work/Training Release Facility or Program, or to
any other program or for some specific purpose, this Order of Commitment shall constitute
authority for you to release said defendant for said program or purpose, subject to any additional
requirements of said program or purpose.

And these presents shall be authority for the same. HEREIN FAIL NOT.

WITNESS the Honorable DENNIS J. BRITT, Judge of the
said Superior Court and the seal thereof, this 24th day of June, 19 79.

CLERK OF THE SUPERIOR COURT

By Ellen Wierschel
Deputy

STATE OF WASHINGTON } ss.
COUNTY OF SNOHOMISH }

I, PAM L. DANIELS, Clerk of the above entitled
Court, do hereby certify that the foregoing in-
strument is a true and correct copy of the orig-
inal now on file in my office.

In witness whereof, I hereunto set my hand
and the Seal of said Court this
day of MAR 24 1979

PAM L. DANIELS, County Clerk
Pam L. Daniels Deputy

ER 0754

100

No. CR99-0611

State of Nevada

vs.

Terry Jess Dennis

Ex. 6

Admitted: 7/19, 1999
AMY HARVEY, CLERK

By [Signature]
Deputy

RECEIVED
STATE OF WASHINGTON
Snohomish County
Superior Court

SUPERIOR COURT OF THE STATE OF WASHINGTON - COUNTY OF SNOHOMISH

Plaintiff

APR 13 1984

79-1-00006-1

DOCKET

FILED

vs.

TERRY J. DENNIS

Defendant

COURT: SNOHOMISH
CLERK: SNOHOMISH

JUDGMENT AND SENTENCE (COMMITMENT)

The above-named defendant was found guilty by (plea) (~~verdict of the jury~~) (~~finding of the court~~) of the crime(s) of Second Degree Assault and Second Degree Assault

**CERTIFIED
COPY**

on the 1st day of February, 1984.

On the 11th day of March, 1984, the defendant appeared with the undersigned defense counsel for sentencing. The defendant was asked by the court if the defendant wished to make a statement or present any information in mitigation of punishment. That opportunity having been given, IT IS ADJUDGED that the defendant is guilty of the above crime(s), and that the defendant be sentenced to imprisonment in such facility under the jurisdiction and supervision of the State Department of Corrections, pursuant to the provisions of RCW 72.13.120 and 72.15.060, for a maximum term of not more than ten (10) years ^{as to each count} and a minimum term to be fixed by the Board of Prison Terms and Paroles. At the time of sentencing the defendant has served 123 days in custody solely as a result of this cause.

Counts I & II shall run (concurrently) (~~consecutively~~)

This sentence shall run (concurrently) (consecutively) with Snohomish

County Cause No. 79-1-00047-1

The defendant shall pay ~~costs~~ and the penalty assessment of \$50 as required by 7.68.035.

The defendant shall pay restitution as established by separate order of this court.

IT IS FURTHER ORDERED, that the appearance bond or bail, if such has been required in this cause, and if not previously forfeited, is exonerated, and the Clerk of the Court is authorized to release such to the appropriate person(s).

The defendant is remanded to the custody of the Snohomish County Department of Corrections to be by them detained and delivered into the custody of the proper officers of the State Department of Corrections for transportation to the Washington Corrections Center.

DONE IN OPEN COURT this 11th day of MARCH, 1984.

Presented By:

Deputy Prosecuting Attorney

Copy Received & Approved for Entry:

WALTER O. PEALE
Attorney for Defendant

DENNIS J. BRITZ

JUDGE

TERRY J. DENNIS
Defendant

(XXX) Presentence report was ordered

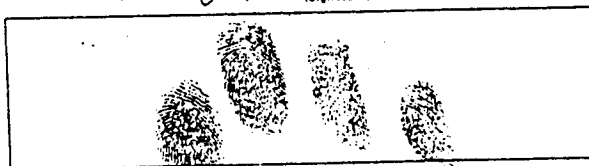
() Presentence report was not ordered

0571

ER 0756

RIGHT FOUR FINGERPRINTS TAKEN SIMULTANEOUSLY OF

DEFENDANT *Terry D. Dennis*
(Signature)



CERTIFICATE

I, Kay D. Anderson, County Clerk and Clerk of the Superior Court of the State of Washington, in and for the County of Snohomish, do hereby attest that the fingerprints affixed above on this document, are the fingerprints of the defendant's right hand and were affixed by the said defendant *Terry Dennis* on the 11 day of April, 1982 in my presence.

KAY D. ANDERSON
Snohomish County Clerk

By *Maria Wacker*
Deputy Clerk

0572

ER 0757

THE STATE OF WASHINGTON to the Sheriff of the county of Snohomish, state of Washington, and to the Secretary of the Department of Corrections, and the Superintendent of the Washington Corrections Center of the state of Washington, GREETING:

WHEREAS TERRY J. DENNIS ^{APR 17 5 25 AM '84} has been duly convicted of the crime(s) of Second Degree Assault and Second Degree Arson ^{K.A. 1st DEGREE ARSON SNOHOMISH CO WASH.} as charged

in the Amended/Information filed in the Superior Court of the state of Washington, in and for the county of Snohomish, and judgment has been pronounced against him that he be punished therefore by imprisonment in such correctional institution under the supervision of the Department of Corrections, Division of Prisons, as shall be designated by the Secretary of the Department of Corrections pursuant to RCW 72.13.120, for the maximum term of Ten (10) years as to each ^{count} ~~year~~, with no recommended minimum of _____

all of which appears of record in this court; a certified copy of said judgment being endorsed hereon and made a part thereof, Now Therefore,

This is to command you, the said sheriff, to detain the said defendant until called for by the officer authorized to conduct him to the Washington Corrections Center at Shelton, Washington, in Mason County, and this is to command you, the said Superintendent and Officers in charge of said Washington Corrections Center to receive from the said officers the said defendant for confinement, classification and placement in such correctional facilities under the supervision of the Department of Corrections, Division of Prisons, as shall be designated by the Secretary of the Department of Corrections.

And these presents shall be authority for the same. HEREIN FAIL NOT.

WITNESS the Honorable Dennis J. Britt, Judge of the said Superior Court and the seal thereof, this 13th day of MARCH APRIL, 19 84.

STATE OF WASHINGTON } ss.
COUNTY OF SNOHOMISH }

I, PAM L. DANIELS, Clerk of the above entitled Court, do hereby certify that the foregoing instrument is a true and correct copy of the original now on file in my office.

In witness whereof, I hereunto set my hand and the Seal of said Court this _____ day of MAR 24 19 1999

PAM L. DANIELS, County Clerk
P. Daniels Deputy

0573

CLERK OF THE SUPERIOR COURT
by: P. Daniels
Deputy Clerk

No. CR99-0611

State of Nevada
vs

Terry Jess Dennis

By 7

Admitted 7/20, 1999
AMY HARVEY, CLERK

By [Signature]
Deputy

